

**AGENDA OF A REGULAR MEETING - NATIONAL CITY CITY COUNCIL/
COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF
THE CITY OF NATIONAL CITY**



**COUNCIL CHAMBERS
CIVIC CENTER
1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CALIFORNIA
TUESDAY, FEBRUARY 6, 2018 – 6:00 PM**

RON MORRISON
Mayor

ALBERT MENDIVIL
Vice Mayor

JERRY CANO
Councilmember

MONA RIOS
Councilmember

ALEJANDRA SOTELO-SOLIS
Councilmember

ORDER OF BUSINESS: Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

REPORTS: All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Elected Body are webcast and archived on the City's website www.nationalcityca.gov.

PUBLIC COMMENTS: Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

**1243 National City Blvd.
National City
619-336-4240**

**Meeting agendas and
minutes available on web**

WWW.NATIONALCITYCA.GOV

WRITTEN AGENDA: With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

CONSENT CALENDAR: Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of

the agenda and separately considered upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audífonos están disponibles en el pasillo al principio de la junta.

Spanish to English interpretation services are available to members of the public who wish to speak to the City Council during the meeting. "Request to Speak" forms requesting interpretation must be filed within the first two hours of the meeting.

Español a los servicios de interpretación Inglés de audio está disponibles para los miembros del público que desean hablar con el Ayuntamiento durante del Consejo Municipal. "Solicitud para hablar de" formas solicitud de interpretación deben ser presentadas dentro de las dos primeras horas del Consejo Municipal.

COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.

OPEN TO THE PUBLIC

A. CITY COUNCIL

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)

PROCLAMATIONS

AWARDS AND RECOGNITIONS

PRESENTATIONS

1. [Automatic External Defibrillator \(AED\) Pursuant to Cash Donation. \(Jesus The Great I Am Church Inc.\) \(Fire\)](#)

INTERVIEWS / APPOINTMENTS

2. [Interviews and Appointments: Various. \(City Clerk\)](#)

CONSENT CALENDAR

3. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)
4. [Resolution of the City Council of National City approving and accepting an augmentation of \\$28,740 to the California Library Literacy Services \(CLLS\) Grant, fiscal year 2017-18, for the National City Library's Literacy Program, increasing the total grant amount from \\$18,000 to \\$46,740; and authorizing the establishment of fund appropriations and a corresponding revenue budget. \(Library\)](#)
5. [Resolution of the City Council of the City of National City Authorizing Staff to waive the formal bid process and authorize the Mayor to sign a 5 year Agreement between the City of National City and San Diego Sports Medicine and Family Health Center for Wellness Program Services. Program not to exceed amount of \\$68,030. \(Fire\)](#)

6. [Resolution of the City Council of the City of National City designating the Director of Emergency Services, Chief of Police, and Homeland Security Manager each as authorized agents for the purpose of obtaining Federal or State financial assistance for cost recovery for all open and future disasters up to three \(3\) years following the date of approval to include the 2017 Lilac 5 Fire \(FEMA-5228-FM-CA\). \(Fire\)](#)
7. [Resolution of the City Council of the City of National City authorizing the Mayor to execute a Subordination Agreement allowing a new mortgage that is not-to-exceed \\$272,400 to be and remain a lien prior and superior to a home purchase assistance loan on a single-unit property located at 726 Mariposa Circle in National City. \(Housing & Economic Development\)](#)
8. [Resolution of the City Council of the City of National City authorizing the Mayor to execute a Second Amendment to the Agreement with Dokken Engineering, Inc. increasing the not-to-exceed amount of the Agreement by \\$100,000 and extending the term of the Agreement to November 16, 2018, to provide project management, engineering and construction support services for the Plaza Boulevard Widening Project. \(Engineering/Public Works\)](#)
9. [Resolution of the City Council of the City of National City authorizing an amendment to the 2016 Regional Transportation Improvement Program \(RTIP\) for National City to increase programming of local TransNet \(Prop A\) funding for the Highland Avenue Community Corridor \(NC13\) project in the amount of \\$170,170 for FY 2017. \(\(Engineering/Public Works\)](#)
10. [Resolution of the City Council of the City of National City authorizing the installation of 217 feet of No Parking Vehicles Over 6 High signs on the north side of Bay Marina Drive adjacent to WestAir Gases & Equipment, Inc. located at 2300 Haffley Avenue \(TSC No. 2017-32\). \(Engineering/Public Works\)](#)
11. [Resolution of the City Council of the City of National City authorizing the installation of time-restricted “No Parking Street Sweeping” signs on the south side of the 400 block of W. 15th Street \(TSC No. 2017-33\). \(Engineering/Public Works\)](#)
12. [Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” at the intersection of E. 16th Street and “N” Avenue to enhance visibility at the intersection \(TSC No. 2017-34\). \(Engineering/Public Works\)](#)
13. [Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” at the intersection of E. 16th Street and Grove Street to enhance visibility at the intersection \(TSC No. 2017-35\). \(Engineering/Public Works\)](#)

14. [Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” on the north side of the 2400, 2500 and 2600 blocks of Sweetwater Road to enhance visibility for vehicles exiting Cypress Street and nearby driveways \(TSC No. 2017-36\). \(Engineering/Public Works\)](#)
15. [Resolution of the City Council of the City of National City authorizing the installation of a blue curb disabled persons parking space with sign in front of the residence located at 1330 Harding Avenue \(TSC No. 2017-37\). \(Engineering/Public Works\)](#)
16. [Temporary Use Permit – Wavetec requesting a ninety day extension to use the lot located at 1918 Cleveland Avenue to complete restoration on a 43 ft. sailboat from January 1, 2018 thru March 30, 2018 with no waiver of fees. \(Neighborhood Services\)](#)
17. [Warrant Register #24 for the period of 12/06/17 through 12/12/17 in the amount of \\$1,163,176.04. \(Finance\)](#)
18. [Warrant Register #25 for the period of 12/13/17 through 12/19/17 in the amount of \\$2,105,208.15. \(Finance\)](#)
19. [Warrant Register #26 for the period of 12/20/17 through 12/26/17 in the amount of \\$8,637.00. \(Finance\)](#)

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

20. [Public Hearing and Adoption of an Ordinance of the City Council of the City of National City adopted pursuant to Government Code Section 65858 as an Urgency Measure to take effect immediately, extending for one year a moratorium prohibiting the issuance of massage technician permits or licenses, and prohibiting new massage establishments from locating within the City of National City. \(City Attorney\)](#)

NON CONSENT RESOLUTIONS

21. [Resolution of the City Council of the City of National City, 1\) awarding a contract to PAL General Engineering, Inc. in the not-to-exceed amount of \\$355,404 for the Wilson Avenue and W. 22nd Street Improvements Project, CIP No. 17-19; 2\) authorizing a 15% contingency in the amount of \\$53,310.60 for any unforeseen changes; and 3\) authorizing the Mayor to execute the contract. \(Engineering/Public Works\)](#)
22. [Resolution of the City Council of the City of National City, 1\) authorizing the Mayor to execute Program Supplement Agreement \(PSA\) No. F016 with the State of California Department of Transportation \(Caltrans\) for the Citywide Traffic Signal and ADA Improvements Project to allow for reimbursement of up to \\$810,650 in eligible project expenditures through](#)

- [the Highway Safety Improvement Program \(HSIP\); and 2\) authorizing the establishment of an Engineering Grants Fund appropriation of \\$810,650 and corresponding revenue budget. \(Engineering/Public Works\)](#)
23. [Resolution of the City Council of the City of National City, 1\) authorizing the Mayor to execute Program Supplement Agreement \(PSA\) No. F017 with the State of California Department of Transportation \(Caltrans\) for the Highland Avenue Traffic Signal Modifications Project to allow for reimbursement of up to \\$729,300 in eligible project expenditures through the Highway Safety Improvement Program \(HSIP\); and 2\) authorizing the establishment of an Engineering Grants Fund appropriation of \\$729,300 and corresponding revenue budget. \(Engineering/Public Works\)](#)
24. [Resolution of the City Council of the City of National City authorizing the City Manager to execute a Compensation Agreement with the affected Taxing Entities pertaining to the full disposition of three parcels of vacant land located at 1231, 1237 and 1239 McKinley Ave. in National City retained by the City of National City for future development pursuant to the Revised Long Range Property Management Plan. \(Housing & Economic Development\)](#)
25. [Resolution of the City Council of the City of National City authorizing the City Manager to execute a Compensation Agreement with the affected Taxing Entities pertaining to the sale of property located at 130 East 8th Street in National City to Protea National City, LLC pursuant to the Revised Long Range Property Management Plan. \(Housing & Economic Development\)](#)
26. [Resolution of the City Council of the City of National City adopting Council Policy 603: Use of Volunteers by the City Council. \(City Manager\)](#)

NEW BUSINESS

27. [Notice of Decision Planning Commission approval of a Zone Variance to allow conversion of an office building to an apartment building located at 2530 East Plaza Boulevard. \(Applicant: Joseph Wong\) \(Case File: 2017-14 Z\) \(Planning\)](#)
28. [Request for direction regarding City Council priorities for the City of National City's Fiscal Year 2019 Budget. \(Finance\)](#)
29. Staff Report on Proposed Meeting Dates for a City Council Special Meeting on Housing. (City Manager)

B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY

CONSENT RESOLUTIONS - HOUSING AUTHORITY

PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY

NON CONSENT RESOLUTIONS - HOUSING AUTHORITY

NEW BUSINESS - HOUSING AUTHORITY

C. REPORTS

STAFF REPORTS

MAYOR AND CITY COUNCIL

CLOSED SESSION REPORT

ADJOURNMENT

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - February 20, 2018 - 6:00 p.m. - Council Chambers - National City, California.

Budget Schedule - FY 2019

Tuesday, May 8, 2018, 5:00 p.m. - Budget Workshop / Preliminary Budget Presentation

Tuesday, May 29, 2018, 5:00 p.m. - Budget Workshop

Tuesday, June 12, 2018, 6:00 p.m. - Budget Hearing / Adoption

The following page(s) contain the backup material for Agenda Item: Automatic External Defibrillator (AED) Pursuant to Cash Donation. (Jesus The Great I Am Church Inc.) (Fire)

ITEM NO. _____

2/6/2018

AUTOMATIC EXTERNAL DEFIBRILLATORS (AED) PRESENTATION

JESUS THE GREAT I AM CHURCH INC.

(FIRE)

The following page(s) contain the backup material for Agenda Item: Interviews and Appointments: Various. (City Clerk)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO. _____

ITEM TITLE:

Interviews and Appointments: Various (City Clerk)

PREPARED BY: Michael R. Dalla

DEPARTMENT: City Clerk

PHONE: 619-336-4226

APPROVED BY: _____

EXPLANATION:

See attached

FINANCIAL STATEMENT:

ACCOUNT NO. _____

APPROVED: _____ Finance

APPROVED: _____ MIS

ENVIRONMENTAL REVIEW:

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Interview and appoint as desired.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Explanation
Applications

BOARDS & COMMISSIONS – CURRENT VACANCIES AND EXPIRED TERMS
February 6, 2018

COMMUNITY AND POLICE RELATIONS COMMISSION - CPRC (Appointing Authority: Mayor subject to confirmation by City Council)

There is one unexpired term on the CPRC. There are two (2) new applicants (Rogelio Espinoza and Zachary Francisco Gomez).

<u>Name</u>	<u>Interviewed</u>
Rogelio Espinoza	No
Zachary Francisco Gomez	Yes

LIBRARY BOARD OF TRUSTEES (Appointing Authority: Mayor subject to confirmation by City Council)

There is one unexpired term on the Library Board one (1) new applicant.

<u>Name</u>	<u>Interviewed</u>
Lisa Saragosa	No

PARKS, RECREATION & SENIOR CITIZENS ADVISORY BOARD (PRSCAB) (Appointing Authority: Mayor subject to confirmation by City Council)

There is one (1) vacancy (Grier) and one (1) expired term (Rodriguez) on the PRSCAB. Jose Rodriguez has declined to seek re-appointment. There are three (3) new applicants (Espinoza, Gomez and Saragosa).

<u>Name</u>	<u>Interviewed</u>
Rogelio Espinoza	No
Zachary Francisco Gomez	Yes
Lisa Saragosa	No

PUBLIC ART COMMITTEE (Appointing Authority: Mayor subject to confirmation by City Council)

There is one expired term (Claudia Torres) on the Public Art Committee. There are no new applicants.

TRAFFIC SAFETY COMMITTEE (Appointing Authority: Mayor subject to confirmation by City Council)

There is one (1) vacancy (Barajas) on the Traffic Safety Committee and one (1) new applicant (Gomez).

<u>Name</u>	<u>Interviewed</u>
Zachary Francisco Gomez	Yes

VETERANS AND MILITARY FAMILIES ADVISORY COMMITTEE (Appointing Authority: Mayor subject to confirmation by City Council)

There are four (4) unfilled positions on the Veterans and Military Families Advisory Committee. There are six (6) applicants.

<u>Name</u>	<u>Interviewed</u>
Jesse Miguel Aguilar-Perez	Yes
Bert Andrade	Yes
Harold Aranda	Yes
Victor Barajas	Yes
Mike Judd	Yes
Vilavanh Sanginthirath	Yes

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

Note: Applicants must be residents of the City of National City except for those marked by an *

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Jesse Miguel Aguilar-Perez E-Mail: jaguilarperez1@gmail.com

Home Address: 1224 Earle Drive National City, CA 91950 Tel. No.: (619)245-7737

Business Affiliation: _____ Title: _____

Business Address: _____ Tel. No.: _____

Length of Residence in National City: 28yrs San Diego County: 30yrs California: 30yrs

Educational Background: Associates in Social Science, Aviation Safety, Avionics

Occupational Experience: Electrical Equipment Repairer for Aircraft; Aviation Electrician; Avionics.

Professional or Technical Organization Memberships: American Legion Post 0255 Federal Workers Union.

Civic or Community Experience, Membership, or Previous Public Service Appointments:

Experience or Special Knowledge Pertaining to Area of Interest:

Sergeant in the United States Marine Corps (5 years)

Have you ever been convicted of a felony crime? No: ☒ Yes: _____ misdemeanor crime? No: ☒ Yes: _____
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

N/A

Date: 11/20/17 Signature: [Signature]

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: Office of the City Clerk
1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

This documents is filed as a public document

Revised: February 2017

BOARDS, COMMISSIONS & COMMITTEES

Meeting Times and Locations

CIVIL SERVICE COMMISSION

Second Thursday of every other month
5:30 p.m. – City Hall Large Conference Room

COMMUNITY AND POLICE RELATIONS COMMISSION

Third Thursday of February, May, August & November
6:00 p.m. – City Council Chambers

LIBRARY BOARD OF TRUSTEES

Second Wednesday of every month
4:30 p.m. – National City Public Library

PARKS, RECREATION & SENIOR CITIZENS ADVISORY BOARD

Third Thursday of every month
4:00 p.m. – City Hall Large Conference Room

PLANNING COMMISSION

First and Third Monday of every month
6:00 p.m. – City Council Chambers

PUBLIC ART COMMITTEE

Fourth Tuesday of January, April, July, October
3:00 p.m. – City Hall Large Conference Room

TRAFFIC SAFETY COMMITTEE

Second Wednesday of every month
2:00 p.m. – City Hall Large Conference Room

VETERANS & MILITARY FAMILIES ADVISORY COMMITTEE

Quarterly
Dates, time and location to be determined

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CITY OF NATIONAL CITY

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- | | |
|--|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC) | <input type="checkbox"/> Civil Service Committee |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board | <input type="checkbox"/> Public Art Committee* |
| <input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee* | <input type="checkbox"/> Traffic Safety Committee |

- Applicants must be residents of the City of National City except for those marked by an * and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Roberto J. Andrade E-Mail: None

Home Address: 1609 CASA PL Tel. No.: 619-773-2317
F.L.A.M. Veterans

Business Affiliation: American Legion Title: President

Business Address: _____ Tel. No.: _____

Length of Residence in National City: 49 yrs San Diego County: 49 yrs California: 49 yrs

Educational Background: B.A. Business Admin

Occupational Experience: U.S.N. 26 yrs. P.E. S.D. School District 5 yrs.
U.S. Air Force, North Island 16 yrs.

Professional or Technical Organization Memberships: None

Civic or Community Experience, Membership, or Previous Public Service Appointments:

Experience or Special Knowledge Pertaining to Area of Interest: Nat. City Veterans Board & Mbr
Veterans (Amer. Legion, Fleet Reserve Assn.)

Have you ever been convicted of a felony crime? No: ☒ Yes: _____ misdemeanor crime? No: ☒ Yes: _____
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 8-24-17

Signature: Roberto J. Andrade

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

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Quarterly
Dates, time and location to be determined

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- | | |
|--|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC) | <input type="checkbox"/> Civil Service Committee |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board | <input type="checkbox"/> Public Art Committee* |
| <input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee* | <input type="checkbox"/> Traffic Safety Committee |

- > Applicants must be residents of the City of National City except for those marked by an * and all applicants must be U.S. Citizens.
- > Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Harold A. Aranda E-Mail: Tool-7/ayerx@yahoo

Home Address: 1535 E. Plaza Blvd. #416 Tel. No.: 619-480-7652

Business Affiliation: NONE Title: _____

Business Address: NONE Tel. No.: _____

Length of Residence in National City: 25 yrs San Diego County: 25 yrs California: 70 yrs

Educational Background: High School Grad Some College
Trade schools

Occupational Experience: Volunteer with G.D. Burn System
on Panels & Committees in Nat'l City

Professional or Technical Organization Memberships: Project Literacy, S.D. Burn

Civic or Community Experience, Membership, or Previous Public Service Appointments:
Committees in Nat'l City Panel - Sec 8 - Traffic -

Experience or Special Knowledge Pertaining to Area of Interest: Sec 8 Laws

Have you ever been convicted of a felony crime? (No) Yes: ___ misdemeanor crime? No: ___ Yes: ___
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 11-9-17 Signature: Harold Aranda

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

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Quarterly
Dates, time and location to be determined

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CITY OF NATIONAL CITY

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

☐ Community & Police Relations Commission* (CPRC)
 ☐ Civil Service Committee
☐ Library Board of Trustees
 ☐ Planning Commission
☐ Parks, Recreation & Senior Citizens Advisory Board
 ☐ Public Art Committee*
☒ Veterans & Military Families Advisory Committee*
 ☐ Traffic Safety Committee

Note: Applicants must be residents of the City of National City except for those marked by an *

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Victor E. Barajas E-Mail: VictorEBarajas@yahoo.com

Home Address: 615 Harrison Ave. NC Tel. No.: 619-730-9883

Business Affiliation: _____ Title: _____

Business Address: _____ Tel. No.: _____

Length of Residence in National City: 10 yrs. San Diego County: 10 yrs California: 10 yrs.

Educational Background: Bachelor of Science in Management
Senior Professional in Human Resources (SPHR) Certification

Occupational Experience: Mediation, Conflict Resolution, Investigations,
Recruiting, Point of Entry assistance.

Professional or Technical Organization Memberships: San Diego Society for
Human Resources Management, Employer Support of the Guard and Reserve (ESG)

Civic or Community Experience, Membership, or Previous Public Service Appointments:
Community Police Relations Commission; CERT; ESGR; SDEAC.

Experience or Special Knowledge Pertaining to Area of Interest:
Over 10 years of experience working with Military Families and Service Members

Have you ever been convicted of a felony crime? No ☒ Yes: _____ misdemeanor crime? No: ☒ Yes: _____
 If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 5/1/17 Signature: [Signature]

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: Office of the City Clerk
 1243 National City Blvd., National City, CA 94105

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CITY OF NATIONAL CITY

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input checked="" type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input checked="" type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
<input checked="" type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

- > Applicants must be residents of the City of National City except for those marked by an * and all applicants must be U.S. Citizens.

> Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Rogelio Espinoza E-Mail: Rogelio.Espinozajr@gmail.com

Home Address: 1005 Paradise Drive National City, CA 91950 Tel. No.: (619) 788 - 7899

Business Affiliation: _____ Title: _____

Business Address: _____ Tel. No.: _____

Length of Residence in National City: 4 Years San Diego County: 27 Years California: 27 Years

Educational Background: B.A International Security & Conflict Resolution - San Diego State University

Occupational Experience: 4+ years in social services and nonprofit programs

Professional or Technical Organization Memberships: _____

Civic or Community Experience, Membership, or Previous Public Service Appointments: _____

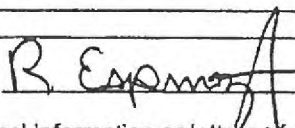
Board Member - Wesley Student House Resident

National President - Nu Alpha Kappa Fraternity, Inc.

Experience or Special Knowledge Pertaining to Area of Interest: I have experience in collaborating and working with various organizations and non profits to provide services to county residents. In addition, my experience as an executive board member and leadership positions have provide me the experience in dealing and finding solutions to complex issues that affect members of the community _

Have you ever been convicted of a felony crime? No: ☒ Yes: _____ misdemeanor crime? No: ☒ Yes: _____
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 10/26/17

Signature: 

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

This documents is filed as a public document

Revised: March 2017

Supplemental Application:
National City Community and Police Relations Commission

The National City Community and Police Relations Commission serves as an Independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. The Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Have you ever been convicted of a felony crime: No: X Yes: ____

Have you been convicted of a misdemeanor: No: X Yes: ____

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

Disqualifying criteria for Community and Police Relations Commissioner:

** See attached table

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

☒ Community & Police Relations Commission* (CPRC) ☒ Civil Service Committee
☐ Library Board of Trustees ☒ Planning Commission
☒ Parks, Recreation & Senior Citizens Advisory Board ☐ Public Art Committee*
☐ Veterans & Military Families Advisory Committee* ☒ Traffic Safety Committee

- > Applicants must be residents of the City of National City except for those marked by an * and all applicants must be U.S. Citizens.
 > Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Zachary Francisco Gomez E-Mail: zacharysgomez@gmail.com
 Home Address: 429 E Ave National City, CA 91950 Tel. No.: (619) 942-9512
 Business Affiliation: Clever Talks [501(c)(3)] Title: Director of Development / Exec. Dir.
 Business Address: 600 B street, San Diego CA 92101 U.S. Tel. No.: (619) 218-4852
 Length of Residence in National City: 8 years San Diego County: 23 yrs. California: 23 yrs.
 Educational Background: High School Diploma. Currently pursuing BA in Business Admin: Marketing & BA in Political Science.
 Occupational Experience: KFC (Highland, June 2010-June 2011), Sportclips marketing (2011-2013), Sportclips Marketing mgr. (2013-2016), Sportclips Marketing Director (2016-present), Clever Talks (Mkt. Mgr. 2016-pr.
 Professional or Technical Organization Memberships: Director of Development
Executive Board - Clever Talks (nonprofit)
 Civic or Community Experience, Membership, or Previous Public Service Appointments: Director of Adm. Associated Student Body, Inter-Club Council Representative at Southwestern CC. & Director of Dev. at Clever T
 Experience or Special Knowledge Pertaining to Area of Interest: Participating in official meetings. Voting on & Allocating to budgets. Planning & organizing a team. Developing a non profit organization.
 Have you ever been convicted of a felony crime? No: ☒ Yes: ☐ misdemeanor crime? No: ☒ Yes: ☐
 If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: December 13, 2017

Signature: Zachary J. Gomez

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

This documents is filed as a public document

Revised: March 2017

Supplemental Application:
National City Community and Police Relations Commission

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department.

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. The Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Have you ever been convicted of a felony crime: No: ☒ Yes: ☐

Have you been convicted of a misdemeanor: No: ☒ Yes: ☐

If any convictions were expunged disclosure is not required.

Please feel free to provide an explanation or information regarding yes answers to the above two questions.

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

Disqualifying criteria for Community and Police Relations Commissioner:

** See attached table

RECEIVED
CITY CLERK
2011 DEC 13 P 1:53
CITY OF NATIONAL CITY

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

Note: Applicants must be residents of the City of National City except for those marked by an *

Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Mike Judd E-Mail: Mike.Judd@vwsd.net

Home Address: 625 N. Cuyamaca St, El Cajon, CA 92020 Tel. No.: 6195699971

Business Affiliation: Veterans Village of San Diego Title: SSVF Program Supervisor

Business Address: 4141 Pacific Highway, San Diego, CA 92110 Tel. No.: 6198612165, ext. 4697

Length of Residence in National City: 0 San Diego County: 29 Years California: 29 years

Educational Background: BS in Psychology (Pending)

Occupational Experience: US Army: 5 years, California National Guard: 4.5 Years, Veterans Village of San Diego: 8.5 years

Professional or Technical Organization Memberships: Veterans and Family Forum (Current)

Civic or Community Experience, Membership, or Previous Public Service Appointments: Chair of Veteran Transition Workgroup for San Diego Veterans Coalition (2010)

Experience or Special Knowledge Pertaining to Area of Interest: Last 8.5 years with VVSD working with the VA, DOD, Police Departments, Community Partners, and San Diego Mayor's office as well as Reps from Duncan Hunter and Scott Peters office - All for Veteran or Military Issues.

Have you ever been convicted of a Felony crime? No Misdemeanor crime? No
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 2014

Signature: [Handwritten Signature]

Please feel free to provide additional information or letters of endorsement.

Please return completed form to: Office of the City Clerk
1243 National City Blvd., National City, CA 91950

Mike Dalla

From: Esther Clemente
Sent: Thursday, April 20, 2017 11:51 AM
To: Mike Dalla
Subject: FW: Veterans and Military Families Advisory Committee Application
Attachments: VMFAC Application - MJudd.pdf

From: Mike Judd [mailto:mike.judd@vvsd.net]
Sent: Thursday, April 20, 2017 11:08 AM
To: Clerk <Clerk@nationalcityca.gov>
Subject: Veterans and Military Families Advisory Committee Application

Good Morning, Mr. Dalla!

My name is Mike Judd and I've been a San Diego County Resident for the majority of my life. I caught wind of the City Manager's suggestion to begin an advisory committee for the City Council of National City that would discuss and handle Veteran and Military issues. I'm interested in taking part in this advisory committee as not only a combat veteran myself, but also as a provider of Veteran services in San Diego County. I've spent the last 8.5 years working at Veterans Village of San Diego with veterans of all eras by providing peer support, resources and referrals, and am now a Program Supervisor for a multimillion dollar grant that provides financial assistance to homeless veterans. As you are probably aware, Veterans Village of San Diego has been around for over 30 years and while it still maintains a heavy focus on in-patient treatment for substance abuse and mental health, it also maintains three rapid rehousing grants providing almost \$1.5 million annually in temporary financial assistance to homeless veterans. I began my work at VVSD and spent 4 years doing so, working solely with Iraq and Afghanistan veterans who were having trouble returning to civilian life after their time at war. I took part in the creation and growth of the very first veteran specific helpline, Courage to Call, which is now run by 2-1-1. I've worked with and have been a part of the San Diego Veterans Coalition and sit on the advisory board for Veterans and Family Forum (VetFam) and would love to provide my knowledge and experience to the National City attempt at tackling Veteran and Military issues. Thank you for your consideration.

If you have any questions, comments, or concerns, I can be reached at the contact information below.

Mike Judd
Program Supervisor
Supportive Services for Veteran Families (SSVF) – Priority 1
Veterans Village of San Diego
Cellphone: 619.569.9971
Office: 619.961.2165 Ext: 4697
Fax: 619.961.2167
www.vvsd.net

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT
TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

<input type="checkbox"/> Community & Police Relations Commission* (CPRC)	<input type="checkbox"/> Civil Service Committee
<input type="checkbox"/> Library Board of Trustees	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board	<input type="checkbox"/> Public Art Committee*
<input checked="" type="checkbox"/> Veterans & Military Families Advisory Committee*	<input type="checkbox"/> Traffic Safety Committee

- Applicants must be residents of the City of National City except for those marked by an * and all applicants must be U.S. Citizens.

➤ Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: VILAVANH SANGINTHIRATH E-Mail: VILAVANH@LIVE.COM

Home Address: 1013 E 18TH STREET NATIONAL CITY, CA 91950 Tel. No.: (858) 568-2326

Business Affiliation: SAN DIEGO INNOVATIONS & POWERHOUSE BUSINESS SOLUTIONS

Title: FOUNDER & CEO

Business Address: 9285 DOWDY DR. SUITE 205, SAN DIEGO, CA 92131
Tel. No.: (619) 434-2860

Length of Residence in National City: 32 YEARS San Diego County: 32 YEARS California: 32 YEARS

Educational Background: SAN DIEGO STATE UNIVERSITY, BUSINESS MANAGEMENT WITH AN EMPHASIS IN MARKETING. SAN DIEGO MESA COLLEGE, ASSOCIATES IN BUSINESS ADMINISTRATION. SAN DIEGO STATE UNIVERSITY, CERTIFICATE OF MANAGEMENT & LEADERSHIP

Occupational Experience: PLEASE SEE ATTACHMENT FOR OVERVIEW OF PROFESSIONAL EXPERIENCE

Professional or Technical Organization Memberships: MEMBER OF ASIAN BUSINESS ASSOCIATION. MEMBER OF CALIFORNIA DIVERSITY COUNCIL. MEMBER OF SAN DIEGO NON-PROFIT ASSOCIATION. SPEAKER AT MANY HIGH PROFILED CONFERENCES, EVENTS, AND YOUTH EMPOWERMENT OPPORTUNITIES.

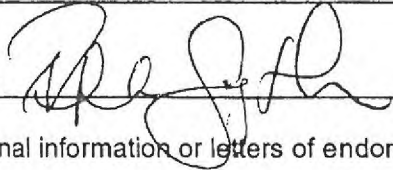
Civic or Community Experience, Membership, or Previous Public Service Appointments: BOARD OF DIRECTOR, GIRLS IN TECH SAN DIEGO. BOARD OF DIRECTORS, BREAK THE SILENCE AGAINST DOMESTIC VIOLENCE. BOARD ADVISOR, GERSON INSTITUTE. EXECUTIVE TEAM MEMBER, MAINSTREET ALLIANCE SAN DIEGO.

Experience or Special Knowledge Pertaining to Area of Interest: I HAVE MANY FAMILY MEMBERS AND CLOSE FRIENDS IN THE MILITARY, I UNDERSTAND THE COMPLEXITIES AND STRUGGLES OF LIVING THE MILITARY LIFESTYLE THAN MOST CIVILIANS. THE GREATEST PART IS THROUGH MY PROFESSIONAL BACKGROUND AND EXPERIENCES OF BEING AN ENTREPRENEUR AND WORKING WITH SMALL BUSINESSES, I'VE BEEN FORTUNATE

ENOUGH TO HELPED OVER 5 MILITARY INDIVIDUALS TRANSITIONING OUT OF THE FORCE TO START THEIR BUSINESS AND BUILD A GREAT FUTURE FOR THEIR FAMILIES. I'M CURRENTLY WORKING ON MY NEWEST INITIATIVE CALLED SAN DIEGO INNOVATIONS, AND ONE OF THE FOCUS IS WORKING WITH THE WORKFORCE PARTNERSHIP TO PROVIDE A PIPELINE FOR MILITARY PERSONNELS THROUGHOUT SAN DIEGO. I'M IN DISCUSSIONS WITH COUNTY OF SUPERIOR COURT AND SECOND CHANCE TO PROVIDING A PROGRAM FOR MILITARY VETERANS TO GETTING THE MENTAL HEALTH, AND TRAINING NEEDED TO GET BACK ON THEIR FEET. FROM A PERSONAL STANDPOINT, I CAN SYMPATHIZE WITH THE STRUGGLES AND HEARTBREAK THAT COME WITH LOSING A LOVED SOLIDER AT WAR WITH THE LOSS OF MY COUSIN AND A COUPLE CLOSE FRIENDS, I'M A SINGLE MOTHER AND I'VE ALSO HELPED OVER 20 MILITARY PARENTS (SINGLE OR NOT) BY PROVIDING THEM RESOURCES AND OUTLETS THROUGH MY BLOG, MEET UP GROUPS, AND NETWORK OPPORTUNITITES TO GET THE SUPPORT NEEDED. I STARTED A SOCIAL GROUP CALLED MEMOIRS OF SINGLE PARENTS IN 2013, OVER 100 PARENTS IN THE GROUP ARE MILITARY MEMBERS AND HAVE REACHED OUT TO ME FROM ALL AREAS IN THE NATION TO THANK ME FOR MY SUPPORT AND AN AREA TO LET OUT THE PAIN AND STRUGGLES AS A PARENT. IN 2005, I MOVED TO GERMANY FOR ONE YEAR TO BE A COUNSELOR FOR MILITARY CHILDREN WHERE I STAYED ON THE ARMY BASE AND HELPED KIDS FROM AGES 6 MONTHS TO 17 YEARS OF AGE. I COACHED AND TAUGHT BASKETBALL, CONDUCTED EDUCATIONAL ACTIVITIES, BECAME AN OUTLET FOR CONSULTATION SO THE KIDS CAN RELATE AND HELP GUIDE THEM THROUGH DIFFICULT CHANGES. I BECAME GREAT FRIENDS WITH MANY OF THE PARENTS, COUNSELORS, AND TECHERS TO THIS DAY.

Have you ever been convicted of a felony crime? No: ☒ Yes: ☐ misdemeanor crime? No: ☒ Yes: ☐
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 8/14/17

Signature: 

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

Vilavanh Sanginthirath

Innovative strategist and forward thinking team leader with a proven track record for identifying opportunities, present a bold vision, and building successful teams from the ground up



Corporate | Nonprofit | Small Business
Board Member | Community Leader

(858) 568-2926

vilavanh@live.com

San Diego, CA

ENTJ

PROFESSIONAL EXPERIENCE

April 2017 - Present

San Diego, CA

Chief Executive Officer

Powerhouse Business Solutions



Achievements

Developed and launched overall strategy, financial plans, pricing structure, legal contracts and business plan
Build partnerships with local businesses, chambers, and community to drive economic growth and impact

January 2017 - June 2017

San Diego, CA

Co-Managing Director & Director of Marketing

Girls in Tech, San Diego



Achievements

Built infrastructure of organization including programs, marketing plans, strategic partnerships, executive team
Advocated and spoke during events, media appearances
Launched with over 350 registrants, and a 70% attrition

June 2016 - May 2017

San Diego, CA

Director of Marketing

Gerson Institute



Achievements

Developed new infrastructure, workflow and processes for all departments: marketing, sales, production
Launched Gerson Cookbook generating over \$200K
Conducted systems & process, saving over \$50K

November 2014 - May 2016

San Diego, CA

Marketing Manager | Canada

HD Supply, Inc.



Achievements

Generated over \$8MM and contributed 16% in co. sales
Exceeded forecast and hit a record \$50MM in revenue
Lead new market strategy & website, drove 16% growth

April 2014 - November 2014

San Diego, CA

CRM Marketing Campaign Manager

Petco Animal Supplies, Inc.



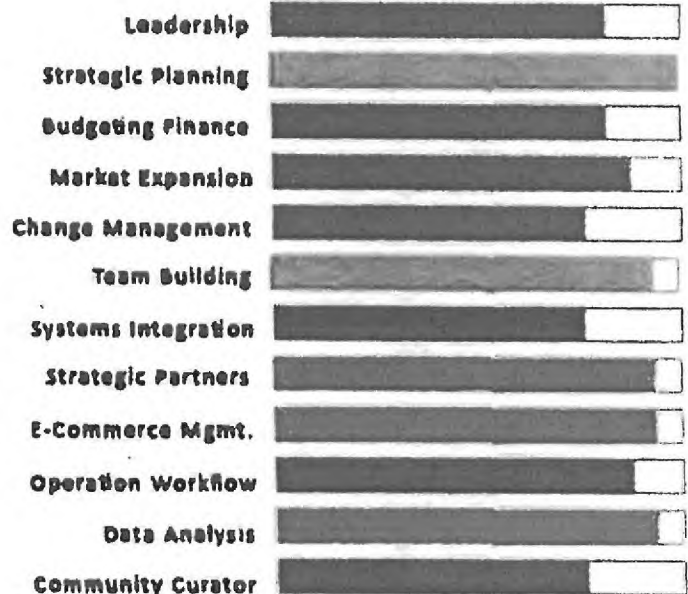
Achievements

Managed P&P Campaign, generate \$3.4MM in 2 days
Support campaigns for loyalty, ecommerce, merchandise

AREAS OF EXPERTISE

Years of Experience

0 5 10



INVOLVEMENT & ACHIEVEMENTS

- SD Magazine - Woman of the Year 2017 Nominee
- Intern - Councilmember A. Sotelo-Solis
- Board of Director - Break the Silence Against DV
- Board Advisor - Gerson Institute
- Advocate - Veterans & Military Family Meet Ups
- Speaker - U.S. News STEM Solutions Conference
- Executive Team - Women of Main Street Alliance
- Member - Asian Business Association
- Member - American Marketing Association
- Member - California Diversity Council
- Member - San Diego Non-Profit Association
- Speaker - Break the Silence Community Outreach

EDUCATION

- San Diego State University
Business Management - emphasis in Marketing
- San Diego State University
Certificate in Management & Leadership

CITY OF NATIONAL CITY

APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

- | | |
|--|---|
| <input type="checkbox"/> Community & Police Relations Commission* (CPRC) | <input type="checkbox"/> Civil Service Committee |
| <input checked="" type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Planning Commission |
| <input checked="" type="checkbox"/> Parks, Recreation & Senior Citizens Advisory Board | <input type="checkbox"/> Public Art Committee* |
| <input type="checkbox"/> Veterans & Military Families Advisory Committee* | <input type="checkbox"/> Traffic Safety Committee |

- Applicants must be residents of the City of National City except for those marked by an * and all applicants must be U.S. Citizens.
- Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.

Name: Lisa Saragosa E-Mail: lisa.saragosa@yahoo.com

Home Address: 540 E. 4th St Tel. No.: 619 218 3920

Business Affiliation: _____ Title: _____

Business Address: _____ Tel. No.: _____

Length of Residence in National City: _____ San Diego County: _____ California: _____

Educational Background: Graduated Sweetwater High School 1989
Currently enrolling at SWC

Occupational Experience: Housekeeping Manager 20+ years
Currently Employee @ St. Paul Plaza & St. Paul Place

Professional or Technical Organization Memberships: NONE

Civic or Community Experience, Membership, or Previous Public Service Appointments: NONE

Experience or Special Knowledge Pertaining to Area of Interest: I work at a Senior Retirement Community working w/ independent & dementia residents

Have you ever been convicted of a felony crime? No ☒ Yes: _____ misdemeanor crime? No ☒ Yes: _____
If any convictions were expunged disclosure is not required. Convictions are not necessarily disqualifying. Please feel free to provide an explanation or information regarding yes answers to the above two questions.

Date: 1-10-18 Signature: Lisa Saragosa

Please feel free to provide additional information or letters of endorsement.

Return completed form to: Office of the City Clerk, 1243 National City Blvd., National City, CA 91950

Thank you for your interest in serving the City of National City.

The following page(s) contain the backup material for Agenda Item: Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. (City Clerk)

Item # ____

02/06/18

**MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL
CITY APPROVING THE WAIVING OF THE READING OF THE
TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING
AND PROVIDING THAT SUCH ORDINANCES SHALL BE
INTRODUCED AND/OR ADOPTED AFTER A READING
OF THE TITLE ONLY.**

(City Clerk)

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of National City approving and accepting an augmentation of \$28,740 to the California Library Literacy Services (CLLS) Grant, fiscal year 2017-18, for the National City Library's Literacy Program, increasing the total grant



August 1, 2017

Minh Duong, City Librarian
National City Public Library
1401 National City Boulevard
National City, CA 91950-4401

Dear Ms. Duong:

We're happy to provide funds for the fiscal year that began July 1, to support your California Library Literacy Services program and the important work you, your staff and volunteers do in your community.

The recently signed state budget continues California Library Literacy Services funding at \$4.82 million, a \$2 million increase over the funding level a few years ago.

At this time, we're providing the \$18,000 baseline amount for your program. The remainder will be sent in the fall after a review of the reports you submit to us in September.

There are three parts to the library's funding formula:

1. A *baseline* amount (\$18,000) for each approved literacy program to provide libraries with the funding needed to deliver a minimum level of local literacy staffing and services;
2. A *per capita* amount per adult learner served in the previous year; and
3. A *match* on local funds raised and expended for adult literacy services—reflecting a commitment to a continuing state/local partnership and providing an incentive for increased local support for adult literacy.

The payment process begins once we receive your signed Claim Form (attached). Please direct any questions to: Andrea Freeland @ 916.651.3191 and/or andrea.freeland@library.ca.gov.

NOTE: All claims must be completed and signed in both places and all claims must be mailed to Fiscal Office – must have original signatures to process claims.

Thank you for your willingness to do so much for so many people in need.

Respectfully yours,

Greg Lucas
California State Librarian

cc: Matthew Boatman, Literacy Coordinator
File

Enc.: Claim Form



January 3, 2018

Minh Duong, City Librarian
National City Public Library
1401 National City Boulevard
National City, CA 91950-3314

Dear Ms. Duong:

I'm pleased to enclose a claim form for the remainder of your California Library Literacy Services funding for the 2017-2018 fiscal year.

This **final, second payment** of your total allocation for the fiscal year that began July, 2017 is based on:

- A *per capita* amount per adult learner served at your library during the previous fiscal year.
- A *match* on local funds raised and expended for adult literacy services at your library during the fiscal year that ended June 30, 2016.

Earlier this year you received a baseline for your literacy program. The baseline reflects the importance of each library having enough funds to provide local literacy staffing and service.

Below is a re-cap of your total California Library Literacy Services funding for the current program year:

Baseline Adult Literacy Services:	\$18,000 (amount previously claimed)
Final Payment (Per Capita & Match):	\$28,740 (amount to be claimed now)
GRAND TOTAL FOR 2017/18:	\$46,740

Changes in your funding from last year are based on an increase or decrease in the number of adult learners you served, and/or an increase or decrease in the amount of local funds expended on adult literacy last year.

We'll initiate the payment process upon receipt of your signed claim form, which is attached. This final payment will be processed after all reporting requirements from the prior fiscal year have been received, all adjustments made and unexpended monies returned.

The following specific issues or observations are being made about your final report:

We are pleased to see you have increased the number of Adult Learners you serve by 30%.

Please mail the signed claim form to: **California State Library
Fiscal/Local Assistance
P.O. Box 942837
Sacramento, CA 94237-0001**

The attached forms require your signature and serve two purposes:

1. Requests to claim the funds and have a check sent to you
2. Certifies that your library will use the funds for the purpose intended; and

In February, you'll be asked to revise your literacy budget for the 2017-2018 fiscal year utilizing the actual total allotment from the State Library shown in this award letter. The budget that you submitted with your application earlier this year was based on projections. Your revised budget should reflect updated information and more accurate figures than you had at the time of application.

You'll be asked to report electronically after the close of the fiscal year. Library literacy services staff will provide more details on this process. If you need a copy of your most recent final report and/or application, please contact Andrea Freeland at andrea.freeland@library.ca.gov.

PLEASE REMEMBER THAT ALL STATE FUNDS MUST BE EXPENDED OR ENCUMBERED BY JUNE 30, 2018 OR RETURNED TO THE STATE.

Should you have additional questions regarding the new funding and/or reporting process, please contact:

Natalie Cole (916) 651-6980 ext. 45 or natalie.cole@library.ca.gov
Andrea Freeland (916) 651-3191 or andrea.freeland@library.ca.gov

Thanks again for your commitment to literacy. It's one of the most transformative and successful things libraries do.

Respectfully yours,

Greg Lucas
California State Librarian

Happy New Year! Let me know how I can be of help to you please!

cc: Matthew Boatman, Literacy Coordinator (via email: matthew.boatman@nationalcitylibrary.org)
Minh Duong, City Librarian (via email: minh.duong@nationalcitylibrary.org)

Enc.: Claim Form
Certification Form

**State of California
California Library Literacy and English Acquisition Services (CLLS)****California Education Code; Section 18880-18883
Budget Citation Chapter 14 – Budget Item 6120-213-0001**

Fiscal Year: 2017-2018		
Reporting Structure: 61202000	COA: 5432000;	Approp. Ref: 213;
Purchasing Authority Number: CSL-6120	Category: 84121600	Program #: 5312

FOR PAYMENT OF CALIFORNIA LIBRARY LITERACY SERVICES GRANTAmount Claimed – Second & Final Installment - **\$ 28,740**

claims the indicated allowance for the purposes of carrying out the functions stated in its CLLS application and in Sections 18880-18883 of the California Education Code.

Warrant to be issued for payment to the library to be addressed to:

*

(Authorized agency to receive, disburse and account for CLLS funds)

I hereby certify under penalty of perjury: that the library named above shall use their allowance solely for the purposes indicated in their CLLS application and in Sections 18880-18883 of the California Education Code.

Official Representative or Fiscal Agent (Signature Required)_____
Title

MAIL ONE ORIGINAL SIGNATURE TO:

**California State Library
Fiscal Office – CLLS
P. O. Box 942837
Sacramento, CA 94237-0001**

State Library Local Assistance Office Use Only

STATE OF CALIFORNIA, State Library Fiscal Office

By _____
State Library Representative

Approval by State:

CLLS \$ _____

Date: _____

* The warrant address must match that on file. If you need to change the warrant authorized library name and/or address, please contact Colette Moody, CSL Fiscal Office.

PLEASE COMPLETE AND RETURN THIS PAGE

CERTIFICATION

I hereby certify under penalty of perjury: that I am the duly authorized representative of the claimant herein; that the claim is in all respects true, correct and in accordance with law and the terms of the agreement; and that payment has not previously been received for the amount claimed herein.

The claims the indicated allowance for the purposes of carrying out the functions stated in its CLLS application and in Sections 18880-18883 of the California Education Code.

SIGNED**DATE**

Signature - Authorized representative

Typed/Printed Name and Title of Authorized Representative

Email address of authorized representative

MAIL ONE ORIGINAL SIGNATURE TO:

**California State Library
Fiscal Office – CLLS
P. O. Box 942837
Sacramento, CA 94237-0001**

RESOLUTION NO. 2017 – 67

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
APPROVING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
2017-2018 ANNUAL ACTION PLAN AND AUTHORIZING THE ESTIMATED
ALLOCATION OF 2017-2018 HUD ENTITLEMENT GRANT FUNDS, PROGRAM
INCOME, FUNDS REMAINING FROM COMPLETED PROJECTS, AND
UNCOMMITTED FUNDS TO THE COMMUNITY DEVELOPMENT BLOCK
GRANT, AND HOME INVESTMENT PARTNERSHIPS PROGRAM ACTIVITIES
PROPOSED FOR THE FISCAL YEAR 2017-2018 ANNUAL ACTION PLAN

WHEREAS, as an entitlement community, the City of National City administers the Community Development Block Grant ("CDBG") and the Home Investment Partnerships Act ("HOME") Program for the Federal Government under the United States Department of Housing and Urban Development ("HUD"); and

WHEREAS, in accordance with the federal regulations at 24 CFR, Part 91, the City is required to prepare and submit an Annual Action Plan for Housing and Community Development Programs funded by CDBG and HOME; and

WHEREAS, HUD requires that all CDBG and HOME Program entitlement communities, such as the City of National City, hold at least two public hearings and a 30-day public comment period to solicit input on the 2017-2018 Annual Action Plan (the "Plan"); and

WHEREAS, the City Council conducted a duly advertised public hearing on March 21, 2017 and May 2, 2017, to receive input from the public; and

WHEREAS, the 30-day comment period for the Plan occurred from March 27, 2017 to April 26 2017; and

WHEREAS, the City will incorporate public comments received into the final submission of the Plan within 60 days after the date allocations are announced by HUD or no later than August 16, 2017 (whichever comes first); and

WHEREAS, HUD has not released entitlement appropriations to the City and staff has estimated the fiscal year ("FY") 2017-2018 HUD formula allocation to be \$800,000 for CDBG and \$260,000 for the HOME Program which have been used to determine the Annual Action Plan activities to consider for funding identified in Exhibit "A" based on the ranking method implemented by the City Council at the first Public Hearing on March 21, 2017; and

WHEREAS, staff will make necessary adjustments to the CDBG and HOME activity allocations listed in the Plan by following the ranking method directed by the City Council when final appropriations are released by HUD; and

WHEREAS, the City Manager will be authorized to approve any adjustments made and make the final allocations official by attaching the final list of Plan activities to the Resolution as Exhibit "B" and promptly notifying all intended recipients of entitlement funds listed in Exhibit "A"; and

WHEREAS, staff has identified and verified the availability of \$88,810 in CDBG and \$442,127 in HOME funds remaining from previous year projects that have been completed to supplement the funding of activities in the Plan as listed on the attached Exhibit "A"; and

WHEREAS, staff has also identified and verified program income received from the CDBG Program in the amount \$5,004 and \$151,967 for the HOME Program to further supplement the funding of activities in FY 2017-2018 Annual Action Plan as listed in Exhibit "A" (attached); and

WHEREAS, staff has identified and verified the availability of \$1,399 in HOME uncommitted funds to supplement the funding of activities in the Plan as listed on the attached Exhibit "A"; and

WHEREAS, staff has identified and verified the availability of \$74,211 of First-Time Homebuyer funds from FY 2016 and FY 2017 to supplant a Community Housing Development Organization ("CHDO") fund activities in the Plan as listed on the attached Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the reallocation of \$88,810 in CDBG and \$442,127 in HOME funds remaining from completed projects.

BE IT FURTHER RESOLVED that the City Council of the City of National City hereby authorizes the allocation of \$5,004 in CDBG Program income and \$151,967 in HOME Program income, \$1,399 in HOME uncommitted funds, and \$74,211 in FY 2016 and 2017 CHDO Reallocation funds to supplement the funding of activities specified in the FY 2017-2018 Annual Action Plan, as set forth in Exhibit "A".

BE IT FURTHER RESOLVED that the City Council authorizes the submission of the FY 2017-2018 Annual Action Plan for the expenditure of said funds to the U.S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED that the City Manager is authorized to approve any changes in funding to the activities listed in Exhibit "A" that are substantially consistent with the ranking method implemented by the City Council.

BE IT FURTHER RESOLVED that City Manager is hereby authorized to execute the final submission of the Fiscal Year 2017-2018 Annual Action Plan, certifications, and agreements required by HUD for the full implementation of the activities funded under the Plan.

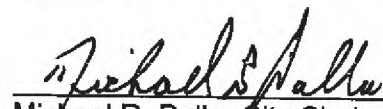
[Signature Page to Follow]

PASSED and ADOPTED this 2nd day of May, 2017.



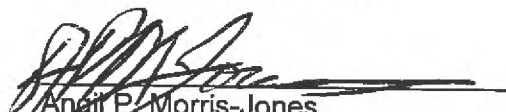
Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Angil P. Morris-Jones
City Attorney

FY 2017-2018 City of National City Action Plan Funding for the Community Development Block Grant and HOME Investment Partnerships Program				
CDBG Entitlement (Estimated):		\$800,000	HOME Entitlement (Estimated):	\$260,000
CDBG Reallocation:		\$88,810	HOME Reallocation:	\$442,127
CDBG Program Income 2016:		\$5,004	HOME Program Income 2016:	\$151,967
Total CDBG funds available:		\$893,814	HOME Uncommitted funds:	\$1,399
			CHDO Reallocation FY16 & FY17	\$74,211
			Total HOME funds available:	\$929,704
#	Applicant Name		Program Name	Estimated Funding
Community Development Block Grant (CDBG) Program				
Public Service Funds Available: \$120,000 (estimated)				
1	National City Public Library		Adult Literacy Services Program	\$ 44,000
2	Community Services Department		Casa de Salud Youth Afterschool Program	\$ 31,000
3	Police Department (Sponsoring South Bay Community Services)		NCPD Support Service: Domestic Violence Response Team	\$ 20,000
4	Community Services Department		Tiny Tots	\$ 25,000
Public Service Total:				\$ 120,000
Non-Public Services Funds Available: \$613,814 (estimated)				
5	Housing & Economic Development		Housing Inspection Program	\$ 155,255
6	Fire Department		Fire Station 34 Section 108 Loan Payment Fiscal Year 2016 - 2017	\$ 458,559
Non-Public Service Total:				\$ 613,814
Planning and Administration Funds Available: \$160,000 (estimated)				
7	Housing & Economic Development		CDBG Program Administration	\$ 119,000
8	Housing & Economic Development (Sponsoring CSA San Diego County)		Fair Housing and Tenant-Landlord Education	\$ 41,000
Planning & Admin Total:				\$ 160,000
CDBG Total:				\$ 893,814
HOME Investment Partnerships (HOME) Program				
Project Funds Available: \$888,507 (estimated)				
9	South Bay Community Services		Tenant Based Rental Assistance	\$ 442,127
10	San Diego Habitat for Humanity		Acquisition Rehabilitation for Home Ownership Program	\$ 372,169
11	First-Time Homebuyer Program FY16 & FY17 funds to supplant CHDO funds			\$ 74,211
Total:				\$ 888,507
Planning & Administration Funds Available: \$41,197 (estimated)				
12	Housing & Economic Development		HOME Program Administration	\$ 41,197
HOME Total:				\$ 929,704

The entitlement award for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program is estimated. U.S. Department of Housing and Urban Development (HUD) has not release allocations for fiscal year (FY) 2017-2018 as of the date of this report. All Public Service applications have been ranked by City Council. Funding commitments to any activity will depend on the ability to fund with the actual award made to the City by HUD. When funds are applied by rank, if there is an activity that can be partially funded with a remainder, staff will consider the feasibility of an award to the activity. If staff considers the activity infeasible then the remaining funds will not be appropriated until the next allocation cycle. The City Manager will review and accept the final funding commitments as directed by the City Council. For Non-Public Service and Planning and Administration Activities if there is an increase or decrease in the entitlement funds award amounts the Housing Inspection Program and CDBG Program Administration will be increased or decreased proportionately.

If the entitlement award is reduced for the HOME Program each new activity will be reduced proportionally. If there is an increase in funding the TBRA program and Planning and Administration will be increased proportionally.

Exhibit “B”

**(Will be attached once the Federal government
approves the HUD budget.)**

Resolution No. 2017 – 67
May 2, 2017

EXHIBIT B

FY 2017-2018 City of National City Action Plan Funding for HUD Community Planning and Development CDBG & HOME Programs (Final)			
Community Development Block Grant (CDBG)		HOME Investment Partnerships Program (HOME)	
Entitlement:	\$741,061.00	Entitlement:	\$246,830.00
Reallocation:	\$88,294.70	Reallocation:	\$72,947.55
Program Income:	\$5,004.42	Program Income:	\$151,967.47
Total CDBG funds available:	\$834,360.12	Uncommitted funds FY 2016:	\$1,399.00
		Total HOME funds available:	\$473,144.02
#	Applicant Name	Program Name	Funding
Community Development Block Grant (CDBG) Program			
Public Service Funds Available: \$111,159.15			
1	National City Public Library	Adult Literacy Services Program	\$ 44,000.00
2	Community Services Department	Casa de Salud Youth Afterschool Program	\$ 31,000.00
3	Police Department (Sponsoring South Bay Community Services)	NCPD Support Service: Domestic Violence Response Team	\$ 20,000.00
4	Community Services Department	Tiny Tots	\$ 16,159.15
		Public Service Total:	\$ 111,159.15
Non-Public Services Funds Available: \$613,814			
5	Housing & Economic Development	Housing Inspection Program	\$ 116,429.77
6	Fire Department	Fire Station 34 Section 108 Loan Payment Fiscal Year 2016 - 2017	\$ 458,559.00
		Non-Public Service Total:	\$ 574,988.77
Planning and Administration Funds Available: \$148,212.20			
7	Housing & Economic Development	CDBG Program Administration	\$ 107,212.20
8	Housing & Economic Development (Sponsoring CSA San Diego County)	Fair Housing and Tenant-Landlord Education	\$ 41,000.00
		Planning & Admin Total:	\$ 148,212.20
		CDBG Total:	\$ 834,360.12
HOME Investment Partnerships (HOME) Program			
Project & Programs			
9	South Bay Community Services	Tenant Based Rental Assistance	\$ 188,147.42
10	San Diego Habitat for Humanity	Acquisition Rehabilitation for Home Ownership Program	\$ 245,116.85
		Projects & Programs Total:	\$ 433,264.27
Planning & Administration			
11	Housing & Economic Development	HOME Program Administration	\$ 39,879.75
		HOME Total:	\$ 473,144.02

The City will be supplant the HOME Program's First-Time Homebuyer Program FY 2016 and FY 2017 funds for Community Housing Development Organization (CHDO) funds using FY 2017-2018 entitlement funds in the amount of \$74,211.45 as it is a requirement of the HOME Program per final rule 24 CFR §2.300.

Approved by:



Leslie Deese, City Manager

Passed and adopted by the Council of the City of National City, California, on May 2, 2017 by the following vote, to-wit:

Ayes: Councilmembers Cano, Mendivil, Morrison, Rios, Sotelo-Solis.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2017-67 of the City of National City, California, passed and adopted by the Council of said City on May 2, 2017.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

RESOLUTION NO. 2017 – 118

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
APPROVING THE FIRST AMENDMENT TO THE U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT FISCAL YEAR 2017-2018 ANNUAL
ACTION PLAN REVISING THE HOME INVESTMENT PARTNERSHIPS
(HOME) PROGRAM FUNDING ALLOCATIONS TO SAN DIEGO
HABITAT FOR HUMANITY AND SOUTH BAY COMMUNITY SERVICES

WHEREAS, as an entitlement community, the City of National City administers the Home Investment Partnerships Act ("HOME") Program for the Federal Government under the United States Department of Housing and Urban Development ("HUD"); and

WHEREAS, City Council approved the Fiscal Year ("FY") 2017-2018 Annual Action Plan that included the HOME Program funding allocations on May 2, 2017; and

WHEREAS, the amount available for reallocation has changed from \$442,127.00 to \$72,947.55; and

WHEREAS, San Diego's Habitat for Humanity's award of funds will be reduced from \$372,169.00 to \$245,116.85, and South Bay Community Services' award will be reduced from \$442,127.00 to \$200,000.00; and

WHEREAS, the revised funding amounts are due to a recalculation of the amount available for reallocation from grant balances remaining from previously funded HOME Program activities; and

WHEREAS, in accordance with the federal regulations at 24 CFR, Part 91, the City is required to prepare and submit an amended Annual Action Plan for Housing and Community Development Programs funded by HOME; and

WHEREAS, on May 2, 2017, City Council approved FY 2017-2018 Annual Action Plan; and

WHEREAS, the said FY 2017-2018 Annual Action Plan has not been submitted to HUD; and

WHEREAS, HUD requires that all HOME Program entitlement communities, such as the City of National City, hold at least one public hearing and 15-day public comment period to solicit input on the First Amendment to the 2017-2018 Annual Action Plan; and

WHEREAS, the 15-day comment period for the First Amendment to the 2017-2018 Annual Action Plan occurred from June 5, 2017 to June 19, 2017; and

WHEREAS, the City Council held a public hearing on June 20, 2017 to receive input from the public; and

WHEREAS, the City will incorporate public comments received into the final submission of said First Amendment to the FY 2017-2018 Annual Action Plan; and

WHEREAS, the First Amendment will be included with the submission of the FY 2017-2018 Annual Action Plan to HUD within 60 days after the date allocations are announced, or no later than August 16, 2017 (whichever comes first); and

WHEREAS, staff has not yet received appropriations and will make necessary adjustments to the HOME activity allocations listed in the Annual Action Plan by following the ranking method as directed by the City Council per Resolution 2017-67 when final appropriations are released by HUD; and

WHEREAS, the City Manager will be authorized to approve any adjustments made, and make the final allocations official by attaching the final list of Annual Action Plan activities to the Resolution as Exhibit "B", and promptly notifying all intended recipients of entitlement funds listed in Exhibit "A"; and

WHEREAS, Exhibit "A" of City Council Resolution 2017-67 has been amended to reflect changes in the HOME Program awards.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the reallocation of \$72,947.55 in HOME funds remaining from completed projects, as set forth in Exhibit "A".

BE IT FURTHER RESOLVED, San Diego's Habitat for Humanity's award of funds will be \$245,116.85, and South Bay Community Services' award will be \$200,000.00.

BE IT FURTHER RESOLVED that the City Council authorizes the submission of the First Amendment FY 2017-2018 Annual Action Plan for the expenditure of said funds to the U.S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED that Exhibit "A" of City Council Resolution 2017-67 has been amended to reflect changes in the HOME Program awards.


BE IT FURTHER RESOLVED that the City Manager is authorized to approve any changes in funding to the activities listed in Exhibit "A" that are substantially consistent with the ranking method implemented by the City Council on May 2, 2017 per Resolution 2017-67.

BE IT FURTHER RESOLVED that final approved funding will be reflected as Exhibit "B" to Resolution 2017-67 and Resolution 2017-(insert this resolution #).

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the final submission of the First Amendment FY 2017-2018 Annual Action Plan, certifications, and agreements required by HUD for the full implementation of the activities funded under said Plan.

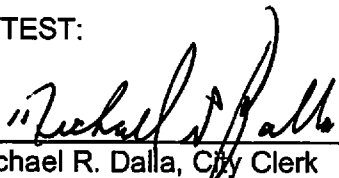
[Signature Page to Follow]

PASSED and ADOPTED this 20th day of June, 2017



Ron Morrison, Mayor

ATTEST:



Michael R. Dalla, City Clerk

APPROVED AS TO FORM:



Angil P. Morris-Jones
City Attorney

EXHIBIT A

FY 2017-2018 City of National City Action Plan Funding for the Community Development Block Grant and HOME Investment Partnerships Program			
CDBG Entitlement (Estimated):	\$800,000	HOME Entitlement (Estimated):	\$260,000.00
CDBG Reallocation:	\$88,810	HOME Reallocation:	\$72,947.55
CDBG Program Income 2016:	\$5,004	HOME Program Income 2016:	\$151,967.00
Total CDBG funds available:	893,814	HOME Uncommitted funds:	\$1,399.00
		Total HOME funds available:	\$486,313.55
#	Applicant Name	Program Name	Estimated Funding
Community Development Block Grant (CDBG) Program			
Public Service Funds Available: \$120,000 (estimated)			
1	National City Public Library	Adult Literacy Services Program	\$ 44,000.00
2	Community Services Department	Casa de Salud Youth Afterschool Program	\$ 31,000.00
3	Police Department (Sponsoring South Bay Community Services)	NCPD Support Service: Domestic Violence Response Team	\$ 20,000.00
4	Community Services Department	Tiny Tots	\$ 25,000.00
Public Service Total:			\$ 120,000.00
Non-Public Services Funds Available: \$613,814 (estimated)			
5	Housing & Economic Development	Housing Inspection Program	\$ 155,255.00
6	Fire Department	Fire Station 34 Section 108 Loan Payment Fiscal Year 2016 - 2017	\$ 458,559.00
Non-Public Service Total:			\$ 613,814.00
Planning and Administration Funds Available: \$160,000 (estimated)			
7	Housing & Economic Development	CDBG Program Administration	\$ 119,000.00
8	Housing & Economic Development (Sponsoring CSA San Diego County)	Fair Housing and Tenant-Landlord Education	\$ 41,000.00
Planning & Admin Total:			\$ 160,000.00
CDBG Total:			\$ 893,814.00
HOME Investment Partnerships (HOME) Program			
Project Funds Available: \$486,313.55 (estimated)			
9	South Bay Community Services	Tenant Based Rental Assistance	\$ 200,000.00
10	San Diego Habitat for Humanity	Acquisition Rehabilitation for Home Ownership Program	\$ 245,116.85
Total:			\$ 445,116.85
Planning & Administration Funds Available: \$41,197 (estimated)			
11	Housing & Economic Development	HOME Program Administration	\$ 41,196.70
HOME Total:			\$ 486,313.55

The entitlement award for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program is estimated. U.S. Department of Housing and Urban Development (HUD) has not release allocations for fiscal year (FY) 2017-2018 as of the date of this report.

All CDBG Public Service applications have been ranked by City Council. Funding commitments to any activity will depend on the ability to fund with the actual award made to the City by HUD. When funds are applied by rank, if there is an activity that can be partially funded with a remainder, staff will consider the feasibility of an award to the activity. If staff considers the activity infeasible then the remaining funds will not be appropriated until the next allocation cycle. For Non-Public Service and Planning and Administration Activities if there is an increase or decrease in the entitlement funds award amounts the Housing Inspection Program and CDBG Program Administration will be increased or decreased proportionately. If the entitlement award is reduced for the HOME Program the Tenant Based Rental Assistance and HOME Program Administration will be reduced proportionally. If there is an increase in funding those programs will be increased proportionally.

The City Manager will review and accept the final funding commitments for the HOME and CDBG Programs as directed by the City Council.

The City will be supplant the HOME Program's First-Time Homebuyer Program FY 2016 and FY 2017 funds for Community Housing Development Organization (CHDO) funds using FY 2017-2018 entitlement funds in the amount of \$74,211.45 as it is a requirement of the HOME Program per final rule 24 CFR 92.300 to fund CHDOs.

EXHIBIT B

FY 2017-2018 City of National City Action Plan Funding for HUD Community Planning and Development CDBG & HOME Programs (Final)			
Community Development Block Grant (CDBG)		HOME Investment Partnerships Program (HOME)	
Entitlement:	\$741,061.00	Entitlement:	\$246,830.00
Reallocation:	\$88,294.70	Reallocation:	\$72,947.55
Program Income:	\$5,004.42	Program Income:	\$151,967.47
Total CDBG funds available:	\$834,360.12	Uncommitted funds FY 2016:	\$1,399.00
		Total HOME funds available:	\$473,144.02
#	Applicant Name	Program Name	Funding
Community Development Block Grant (CDBG) Program			
Public Service Funds Available: \$111,159.15			
1	National City Public Library	Adult Literacy Services Program	\$ 44,000.00
2	Community Services Department	Casa de Salud Youth Afterschool Program	\$ 31,000.00
3	Police Department (Sponsoring South Bay Community Services)	NCPD Support Service: Domestic Violence Response Team	\$ 20,000.00
4	Community Services Department	Tiny Tots	\$ 16,159.15
		Public Service Total:	\$ 111,159.15
Non-Public Services Funds Available: \$613,814			
5	Housing & Economic Development	Housing Inspection Program	\$ 116,429.77
6	Fire Department	Fire Station 34 Section 108 Loan Payment Fiscal Year 2016 - 2017	\$ 458,559.00
		Non-Public Service Total:	\$ 574,988.77
Planning and Administration Funds Available: \$148,212.20			
7	Housing & Economic Development	CDBG Program Administration	\$ 107,212.20
8	Housing & Economic Development (Sponsoring CSA San Diego County)	Fair Housing and Tenant-Landlord Education	\$ 41,000.00
		Planning & Admin Total:	\$ 148,212.20
		CDBG Total:	\$ 834,360.12
HOME Investment Partnerships (HOME) Program			
Project & Programs			
9	South Bay Community Services	Tenant Based Rental Assistance	\$ 188,147.42
10	San Diego Habitat for Humanity	Acquisition Rehabilitation for Home Ownership Program	\$ 245,116.85
		Projects & Programs Total:	\$ 433,264.27
Planning & Administration			
11	Housing & Economic Development	HOME Program Administration	\$ 39,879.75
		HOME Total:	\$ 473,144.02

The City will be supplant the HOME Program's First-Time Homebuyer Program FY 2016 and FY 2017 funds for Community Housing Development Organization (CHDO) funds using FY 2017-2018 entitlement funds in the amount of \$74,211.45 as it is a requirement of the HOME Program per final rule 24 CFR §2.300.

Approved by:



Leslie Deese, City Manager

Passed and adopted by the Council of the City of National City, California, on June 20, 2017 by the following vote, to-wit:

Ayes: Councilmembers Cano, Mendivil, Morrison, Rios, Sotelo-Solis.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Mayor of the City of National City, California

MICHAEL R. DALLA
City Clerk of the City of National City, California

By: _____
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2017-118 of the City of National City, California, passed and adopted by the Council of said City on June 20, 2017.



Michael R. Dalla
City Clerk of the City of National City, California

By: _____
Deputy

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City Authorizing Staff to waive the formal bid process and authorize the Mayor to sign a 5 year Agreement between the City of National City and San Diego Sports Medicine and Family Health Center for W

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City Authorizing Staff to waive the formal bid process and authorize the Mayor to sign a 5 year Agreement between the City of National City and San Diego Sports Medicine and Family Health Center for Wellness Program Services.
Program not to exceed amount of \$68,030 (Fire)

PREPARED BY: Frank Parra

DEPARTMENT: Fire

PHONE: 619-336-4551

APPROVED BY: 

EXPLANATION:

Over the last eleven years, the National City Fire Department (NCFD) has contracted with the San Diego Sports Medicine and Family Health Center (SDSMFHC) for wellness program services. An extension of the last Agreement expired on October 1, 2017. As a result, the NCFD would now like to sign a new 5 year Agreement.

As allowed by Purchasing Ordinance 2.60.110 - Formal bidding procedure—Generally Based: *Formal competitive bidding may be waived by the City Council, or the City Manager within the limits of contracting authority, where it has been determined that: (1) competitive bidding is or would be impractical or impossible.* Over the last few years, formal bid process attempts by the City of San Diego did not yield any other qualified service providers, because SDSMFHC is uniquely qualified. There are no other providers of this type of service, and there is no adequate other substitute for what the NCFD needs; and because there are no other sources of this service, there would be no competitive advantage to bidding. Staff believes it is in the City's best interest to take advantage of this opportunity and would ask the City Council to waive the formal bid process.

In order to continue the Wellness Program, the NCFD needs to have an Agreement in place in order to participate. Staff recommends the City Council waive the formal bid process and authorize the Mayor to sign a 5 year Agreement with the SDSMFHC.

FINANCIAL STATEMENT:

APPROVED: 

Finance

ACCOUNT NO. 001-412-125-205-0000 – (Medical Services)
\$68,030

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION: ☐

FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt the Resolution.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

1. San Diego Sports Medicine and Family Health Center Agreement
2. Resolution

**AGREEMENT BY AND BETWEEN
THE CITY OF NATIONAL CITY
AND
SAN DIEGO SPORTS MEDICINE AND FAMILY HEALTH
CENTER FOR WELLNESS PROGRAM SERVICES**

THIS AGREEMENT is made, entered into, and effective as of the latest date set forth on the signature page hereto, by and between the City of National City on behalf of the National City Fire Department (NCFD), with its principal place of business located at 1243 National City Boulevard, National City, CA, 91950 and San Diego Sports Medicine & Family Health Center (SDSMFHC), a Medical Corporation, with its principal place of business located at 6699 Alvarado Road, Suite 101, San Diego, CA 92120.

RECITALS

WHEREAS, the NCFD will participate in the San Diego Firefighters Regional Wellness Program (SDFFRWP) which is in compliance with the International Association of Fire Fighters (IAFF) and the International Association of Fire Chiefs (IAFC) Health and Wellness Initiative guidelines; and

WHEREAS, the NCFD has determined SDSMFHC has the expertise, experience, qualifications and personnel necessary to provide Wellness Program services required by the NCFD and described in the IAFF/IAFC Fire Service Joint Labor Management Wellness-Fitness Initiative (IAFF, 1999, ISBN# 0-942920-36-8) (<http://www.iaff.org/safe/wellness2.html>). The program described in IAFF/IAFC Fire Service Joint Labor Management Wellness-Fitness Initiative (IAFF, 1999, ISBN# 0-942920-36-8) shall henceforth be described as the "Wellness Program" or "NCFD's Wellness Program"; and

WHEREAS, the City of National City and SDSMFHC desires to enter into a contractual relationship which makes SDSMFHC the health provider agency of the NCFD's Wellness Program;

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

Section 1. Compensation.

1.1 The City of National City and SDSMFHC agree to pay and bill respectively in accordance with the rates, fees and restrictions set forth in Item 1.2, 4.1, 4.2.9, 4.3, and 4.4 of this agreement.

1.2. SDSMFHC shall provide an invoice for services rendered during a calendar month to the NCFD by the 10th day of the next month. The City of National City will pay the invoice within 30 days after receiving the invoice. Invoices are subject to approval by the City prior to payment. Services will be itemized, and presented in the following categories:

- 1.2.1. Clinical services
- 1.2.2. Consultation services
- 1.2.3. Lecture and workshop services

Section 2. Term.

2.1. Term. The term of this Agreement shall be for a period of five (5) years from the effective date hereof.

2.2. Options to Renew. The City of National City shall have the option to renew this agreement for three (3) one (1) year options, each for a period of one (1) year after the expiration of the original term, or the preceding one-year option term. Each option term shall be renewed on the same terms as this Agreement, except that the rates in section 4.1, 4.29, 4.3 and 4.4 may be increased or decreased by mutual written agreement of the parties. Any rate changes shall be made at the time of exercise of the option, to take effect at the beginning of the new one year period unless otherwise agreed to in writing by the parties.

2.3. Exercise of Option to Renew. The City of National City shall give notice in writing of its intention to renew at least sixty (60) days prior to the expiration of the Agreement, or of the prior option term. If notice is provided by the NCFD to SDSMFHC, such notice shall be sent by mail addressed to:

Katie Rusk, Project Manager
San Diego Sports Medicine & Family Health Center
6699 Alvarado Road, Suite 101
San Diego, CA 92120

Section 3. NCFD Obligations.

3.1 Administration. The Chief of the NCFD or designated representative shall administer this Agreement on behalf of the NCFD and represent the NCFD in all matters pertaining to the Agreement.

Section 4. SDSMFHC Obligations.

4.1. Wellness Program Services. SDSMFHC agrees to provide services rendered at the location identified in Item 4.2 below, to NCFD employees participating in the Wellness Program (hereinafter "NCFD Employees"), at the fees for service identified in Item 4.3. SDSMFHC agrees to perform and/or coordinate all services identified in the Fire Service Joint Management Wellness-Fitness Initiative. The five components are Medical, Fitness, Injury Prevention and Rehabilitation, Behavioral Health and Data Collection. SDSMFHC agrees to provide the following services and/or collection of information in addition to those services set forth in Appendix A:

a. Prior to Medical Evaluation. SDSMFHC agrees to provide all the necessary forms, reports, and documentation for the requested information listed below:

- Introductory letter describing the Firefighter Initiative.
- Health history/Lifestyle questionnaire.
- Health risk assessment.
- Exercise risk assessment.
- Participant information.
- HIPAA information and acknowledgment.
- Nutrition and diet analysis.
- Arbitration agreement.
- Explanation of testing procedures.
- Instructions for participation.
- Laboratory requisition (participant will have labs drawn at least one week prior to evaluation) .
- Respiratory fit clearance form.
- Directions to facilities.

SDSMFHC will coordinate and provide staff to have blood drawn for lab analysis at designated fire stations at least one week prior to the participants' Wellness evaluation. The cost of this mobile service is included in the package price for the Medical Fitness Evaluations listed in section 4.3.

b. Medical Evaluation. Each participant will receive the following evaluations and follow up at the SDFFRWP Wellness Center:

- Vitals: height, weight, blood pressure, pulse, temperature and respirations.
- Complete hands-on physical examination by a Physician or Physicians Assistant (PA).
- Blood profile including a CBC, chemistry panel and lipid panel.
- TSH screening (cardiovascular risk screening) is optional and at an additional cost in accordance with the fee schedule.
- Chest x-ray.
- Pulmonary Function Test, including lung volume and flow rate.
- 12 lead EKG.
- Lifestyle Questionnaire and Nutritional Risk Assessment.
- Hearing and Vision screening.
- Cancer screening, as appropriate, at an additional cost, including PSA, Hemocult, Pap Smear, Mammogram, CA-125.
- DOT/DMV physical form.

c. Fitness Evaluation:

- Maximal/Sub-Maximal (age determined) Exercise Test monitored by a 12 lead EKG.
- Body Composition.
- Plank test Push-up Evaluation of Upper Body Strength and Endurance.

- Functional Movement Screening/Y Balance test or other appropriate Functional Movement Screen
- Flexibility evaluation.
- Vertical Jump test

d. Schedule for Medical and Fitness Evaluations. For each individual participating in the program:

- 45-60 minutes with Physician: physical exam, review labs and other test results.
- 45-60 minutes with Exercise Physiologist: treadmill test, exercise consult, nutrition consult.
- 45 minutes with Strength and Conditioning Personnel: strength, flexibility, body composition.
- 45 minutes with Medical Assistant: vitals, vision, blood draw, hearing, pulmonary function, chest x-ray, review history and immunizations.

e. Follow-up Consultation with Physician at time of initial appointment.

- Follow-up on findings from annual examinations will be reviewed by the physician at time of evaluation.
- Abnormal findings on the annual physical will be addressed with specific recommendations to control or remedy the abnormality, and with recommendations for follow up or referral.
- Referrals will be made as appropriate for non-service connected issues, using the participants Primary Care Provider.

f. Personalized feedback from Exercise Physiologist and Athletic Trainer/Peer Fitness Trainer:

- Individual's level of fitness.
- Level of improvement since past assessments.
- Realistic evaluation of the individual's physical capacity to safely perform assigned jobs.
- Suggested exercise program.
- Comprehensive wellness/fitness program recommendations.
- Firefighter Physical Performance Standard Score.
- Physical Fitness Age Assessment.

g. Personalized written Health and Wellness Report. Each firefighter will receive an individual packet of the medical and fitness evaluation that outlines his/her results. The report will outline recommendations for each individual to improve and maintain fitness, as well as recommend treatment or follow up for any medical condition. Educational material regarding various health topics will be included in the packet.

h. Reporting and Recommendations. SDSMFHC agrees to incorporate the current criteria used in Respiratory Fitness Clearance and Department of Motor Vehicles medical evaluations with regard to findings and risks. It is not the intention of the Wellness Program to re-define the existing fitness-for-duty criteria. Strict confidentiality and maintenance of records will be adhered to throughout any reporting and/or referral procedures.

i. Data Collection. SDSMFHC will provide scientific and technical support related to data collection and analysis. Data shall be collected and stored on the electronic database designed by SDSMFHC specifically for the Services to be performed under this agreement. Data Collection services shall include the following:

- 1) Storage of past, current and future data on a secure server. Data shall be backed up weekly and kept at a remote location.
- 2) Analysis of data for errors, omissions and outliers. Statistical analysis shall be performed to summarize the demographic medical fitness outcomes on each individual as well as the group as a whole.
- 3) Development of an annual report which shall be presented to Senior NCFD Staff which identifies health trends and concerns.
- 4) Development of new strategies for data collection and reporting.
- 5) Evaluating and analyzing data for individual and group disease management.
- 6) Integrating data with other fire departments in a confidential manner in compliance with all federal and state law.

j. Education Program. SDSMFHC will provide educational hours over the year for Wellness participants. The Education component will be multifaceted in its delivery. The intent of the Education Component is to address those areas of interest and concern for the health and fitness of the National City Firefighters. The Education Component shall include the following:

- 1) Nutrition station as part of the annual physical;
- 2) Biannual newsletter;
- 3) Stations visits which will include, but not be limited to educational sessions on exercise, fitness, nutrition and health related topics.
- 4) Individual counseling for high risk individuals and those with specific nutrition and exercise needs;
- 5) Development of educational material for Personal Profile and group education projects (i.e. Fiber challenge, Big Burn Challenge, Body Blast workout, Health Fire Fighter recipes;
- 6) Providing resources and Consultant staff on health and fitness related issues (i.e. return to work issues, training issues, Cross Fit, medical advice regarding injury treatment and more)
- 7) Providing a Registered Dietician to help those individuals with high risk nutritional/health related problems.

8) Providing an Athletic Trainer to help those individuals with specific injury related problems identified by Physician.

The Education Program consists of initial education, as well as recurrent education. Fees for the initial portion of the Educational Program are included in the set fee for Medical and Fitness Exams for Wellness Participants.

k. Hazardous Materials Technician Physical. Some of the firefighters in the NCFD may be designated as Hazardous Materials Technicians. Their special requirements for a physical will include the following:

- 1) All of the components and procedures of the Respiratory Fit Evaluation
- 2) Blood testing consisting of CBC, chemistry panel and heavy metals
- 3) (arsenic, mercury and lead) and archiving of the results on entrance into the Hazardous Materials Program.
- 4) Cholinesterase on a yearly basis.
- 5) Any additional blood testing required for specific or known exposure
- 6) EKG
- 7) Treadmill

l. Immunizations. SDFFRWP agrees to offer NCFD, at NCFD discretion, employees on-duty influenza immunization and PPD (Tuberculosis) testing at strategic locations throughout the NCFD, as identified by the NCFD and agreed upon with the Wellness Officer, and charged according to the fee schedule in 4.3. These services are mobilized and can accommodate 30 participants at one time. Each participant will complete a consent form describing risk and benefits of vaccines and PPD placement. Each participant will receive the immunization and/or PPD. A licensed individual will be present to administer or supervise administration of the immunization or PPD. The PPD will be read within 48 to 72 hours by a certified individual. Scheduling will be determined by the NCFD and agreed upon with the Wellness Officer.

m. Other Immunizations. All immunization records and history of immunizations (that Participants provide) will be kept in patients chart. Review of immunizations will be made at the time of Wellness physical or respiratory fit exam. Necessary immunizations including Hepatitis B will be given at that time and charged according to the fee schedule in 4.3. Additional immunizations as part of a series will be administered on an individual basis at the Wellness Center, scheduled by the Wellness Officer. All immunizations will be preauthorized by the City of National City.

4.2. SDFFRWP Wellness Program Facilities.

4.2.1. Wellness Program Locations. SDFFRWP agrees to provide Wellness Program services to NCFD Employees at the following location:

SAN DIEGO FIREFIGHTERS REGIONAL WELLNESS CENTER
(Hosted by San Diego Sports Medicine and Family Health Center)
6699 Alvarado Road, Suite 101, San Diego, CA 92120

4.2.2. Staffing and Hours of Operation. SDSMFHC shall maintain a medical facility staffed by licensed physicians and technicians during business hours. In agreement with the City of National City, SDSMFHC shall commit to the days and hours of operation to comply with the goals of the Wellness Program and the Wellness Initiative.

4.2.3. Priority Appointments. SDSMFHC shall maintain a licensed physician or physician assistant available to examine and treat NCFD Employees that have arrived for their appointment.

4.2.4. Medical Specialists. SDSMFHC shall have “on call” medical specialists to examine patients either at the facilities listed above or at the specialist’s office, for medical emergencies and follow-up care.

4.2.5. Medical Consultants. SDSMFHC shall maintain a list of medical specialty consultants for referral to NCFD Employees.

4.2.6. Other Medical Services. SDSMFHC shall provide radiological facilities on-site at the Wellness Center to facilitate comprehensive examinations.

4.2.7. Weekend and Evenings. The Wellness Center will not operate on weekends or evenings.

4.2.8. Cancelled/Delayed Appointments. The NCFD is engaged in “All-Risk” emergency services, 24-hours a day. Due to unforeseen emergencies (fires, major incidents, disasters, etc.), it may be possible that an emergency crew and/or support personnel are otherwise engaged in emergency operations and unable to keep their appointment at the Wellness Center. All efforts will be made to provide personnel that are ready for their Wellness Center evaluation. The days of operation and the number of personnel to receive the services will be determined based on an annual schedule and the need of NCFD and will be in consultation with the Wellness Officer.

4.2.9. Vacancy Fee. Despite the best efforts of the NCFD and/or appointed personnel assisting in scheduling Wellness activities, there may be occurrence that scheduled NCFD employees are NOT present for evaluation. The City of National City will pay a vacancy fee of \$300.00 for any occurrence after two occurrences in any calendar month applicable only to days of operation without notice of cancellation prior to 72 hours

4.3. Pricing of Services. The following prices have been established at the initiation of this agreement, and as referred in items 4.1, 4.3. The fees for all services excluding labs and vaccinations shall be increased at a rate of 5% of the cost from the prior fiscal year. Influenza Vaccinations, PPD testing and Labs will be priced based on the current market value.

<i>CLINICAL SERVICES</i>	<i>COST</i>
Medical Fitness Evaluation	\$1543.03 per participant
Pre-employment Physical-Public Safety**	\$557.00 per participant
Administration	Included
Facilities and Maintenance	Included
DMV exam and paperwork only	\$125.00 per participant
Respiratory Fit Exam only	\$150.00 per participant
Hazardous Materials Technician Physical	\$660.00 per participant
Influenza Vaccinations	\$20.00 per participant*
PPD testing	\$25.00 per participant
Immunizations as Requested:	
Hepatitis A Vaccine	\$110.00 per participant*
Hepatitis B Vaccine	\$252.00 per series*
Hepatitis B Titer	\$125.36 per participant*
Tetanus/Adacel	\$75.00 per participant*
<i>LABS</i>	<i>COST</i>
General Labs (No Med Fit Eval)	\$48.00 per participant
Hearing (No Med Fit Eval)	\$40.00 per participant
PSA	\$46.31 per participant
Hemocult	\$23.15 per participant
Pap Smear w/HPV	\$175.00 per participant
Mammogram	\$200.00 per participant
Chest X-ray (No Med Fit Eval)	\$65.00 per participant
Cholinesterase	\$65.00 per participant
Resting EKG (No Med Fit Eval)	\$50.00 per participant
Treadmill (No Med Fit Eval)	\$296.36 per participant
Heavy Metals Testing	\$250.00 per participant

CONSULTATION SERVICES	COST
Physician Consultation	\$300.00 per hour
Physical Therapy Consultation	\$100.00 per hour
Physical Therapy Services	\$75.00 per hour
LECTURE & WORKSHOP SERVICES	COST
Back Workshop	\$600.00 per lecture

* Fees may be adjusted during the term of this agreement based on changes in current market price and availability of the vaccines. The adjusted fee will be determined by the average price of the vaccine or PPD through other local providers, plus 10% for administration. The decision to provide these services rests with the NCFD.

** See attached Appendix A - Pre Employment Physicals-Group 1 Public Safety Positions

4.3.1. Pre-Paid Fees for Services. Any pre-paid fees for service will be reimbursed back to the City of National City within 10 days of dissolution of this agreement.

4.4. Safety/Preventive Services.

4.4.1. SDSMFHC agrees to make available consulting/training in the area of safety/prevention services at the following rates:

- a. Physician time billed at \$300 an hour.
- b. Non-physician time billed at \$100 an hour.

4.5. Prescriptions. It is not the intention of this Agreement or the City of National City that medications shall be dispensed during the scope of the Wellness Program. If the consulting physician identifies a need to prescribe a medication, he/she can provide a prescription at no additional cost, until the employee can follow-up with his/her own physician, or make a referral to the employee's own physician. The City of National City shall not reimburse either the employee or SDSMFHC for prescription or non-prescription medications.

4.6. Vision and Audiometric Examinations. SDSMFHC agrees to provide vision and audiometric examinations to NCFD Employees as referenced by guidelines published by the California Department of Motor Vehicles (DMV).

4.7. Respiratory Examinations. SDSMFHC agrees to provide respiratory examinations to NCFD Employees as referenced by guidelines published by the Occupational Safety and Health Administration (OSHA).

4.8. Performance Standards. It is the intent of SDSMFHC and the City of National City to provide quality medical care and other Wellness services for NCFD Employees. To maintain and improve the quality, access, availability, and cost-effectiveness of the services provided under this Agreement, SDSMFHC and the City of National City each agree to use their best efforts to develop means and standards for measuring the performance of NCFD under the Agreement, including, but not limited to the following:

4.8.1. Measurement of Key Performance Indicators, including Workers' Compensation savings, vital signs, cholesterol levels, and subjective surveys of participant's satisfaction.

4.8.2. Comparison of these indicators with other fire Departments as available through the International Association of Fire Fighters (IAFF) Wellness Initiative database.

4.8.3. Comparison of these indicators with other fire Departments as available through the San Diego County Fire Chief's Association (to be determined).

4.8.4. Other factors to be established by SDSMFHC and the City of National City.

4.9. SDSMFHC Representative. SDSMFHC shall designate Richard Parker, D.O, FAOASM, to represent SDSMFHC in all matters pertaining to this Agreement.

Section 5. Administrative Services.

5.1. Periodic Meetings. Subject to any state and federal privacy laws, SDSMFHC agrees to meet with the NCFD's staff as scheduled to confidentially discuss program issues, utilization of medical specialties, utilization of physical therapy, trends and any topic of interest pertaining to the Wellness Program.

5.2. Work-Related Injuries: Initial Medical Reporting. While it is not the intent of the Wellness Program to diagnose or otherwise treat any suspected work-related injuries, in the course of a Wellness/Fitness evaluation a suspected work-related injury or illness may be discovered. SDSMFHC shall refer all NCFD employees, with a suspected work-related injury or illness, to the NCFD for coordination of medical care, unless a life threatening medical emergency exists that requires medical treatment. SDSMFHC will direct the employee to follow all NCFD procedures for reporting a work related injury or illness. Following any emergency medical treatment, SDSMFHC shall report the treatment to the NCFD for the purposes of follow-up medical treatment. In the case of emergency medical treatment, SDSMFHC shall provide the NCFD with a Doctors First Report of Work Injury or Illness (form 5020) within two days of initial treatment and all billing. SDSMFHC is not authorized to determine causation of any suspected work related injury or illness.

5.3. Work-Related Injuries: Medical Reports and Billings. SDSMFHC shall use those reports, billings and associated forms in a format approved by the NCFD for any and all work related injuries reported.

5.4. Maintenance of Medical Reports. SDSMFHC shall accurately maintain, store and retrieve employee medical files during the period of this Agreement in accordance with all applicable laws and regulations.

5.5. Confidentiality. SDSMFHC shall ensure security of the medical records for all Wellness Program participants and shall ensure compliance with all State and Federal Privacy Laws. At no time shall SDSMFHC release confidential medical records to the City of National City without written authorization from the employee.

5.6. Testimony. SDSMFHC shall, upon reasonable notice, submit to depositions and testify at court if requested by the City of National City at the contracted physician consulting rate in 4.3.

5.7. Return-to-Work Consulting. SDSMFHC shall provide consulting services by working with NCFD staff on returning injured NCFD employees, when appropriate, to modified duty at the contracted physician consulting rate in 4.3.

5.8. Special Treatment Consulting. SDSMFHC shall provide recommendations to Wellness Participants regarding surgical options, special medical treatments, or other special medical procedures identified during the Wellness exam as requiring such treatment or services at the contracted physician consulting rate in 4.3.

5.9. Authorization for Patient Referral. SDSMFHC shall insure that the employee is instructed that any referral made to a specialist or hospital will NOT be reimbursed by the Wellness Program unless authorized by both the Medical Director and the Project Manager.

Section 6. Indemnification and Hold Harmless.

6.1. SDSMFHC agrees to defend, indemnify, protect and hold the City of National City and its agents, officers and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to NCFD's employees, agents or officers, which arise from or are connected with or are caused or claimed to be caused by the sole negligence or sole willful misconduct of SDSMFHC and its employees in performing the work or services or supplying the materials or equipment under this Agreement, and all expenses, of investigating and defending against same; provided, however, that SDSMFHC's duty to defend, indemnify and hold harmless shall not include any claims or liability arising from the sole negligence or sole willful misconduct of the City of National City, its agents, officers or employees. This shall not prejudice the right of the City of National City to appear in such suit, participate in the defense, and take such actions as may be necessary to protect the interests of the City of National City. If the City of National City chooses, at its own election, to obtain independent legal counsel in defense of any claim against the City of National City, related to the performance by SDSMFHC under this Agreement, then the City agrees to pay the reasonable value of attorney's fees and costs for such independent legal counsel, however, the SDSMFHC shall not be obligated to pay attorney's fees at an hourly rate greater than the hourly rate charged by its defense attorneys in the same matter. SDSMFHC's obligations under this section shall be reduced dollar for dollar by any amounts the City of National City is awarded in such action for attorney's fees and costs.

6.2. The City of National City agrees to defend, indemnify, protect and hold SDSMFHC and its agents, officers and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to SDSMFHC employees, agents or officers, which arise from or are connected with or are caused or claimed to be caused by the sole negligence or sole willful misconduct of the City of National City and its agents, officers or employees in performing the work or services or supplying the materials or equipment under this Agreement, and all expenses, of investigating and defending against same; provided, however, that the City of National City's duty to defend, indemnify and hold harmless shall not include any claims or liability arising from the sole

negligence or sole willful misconduct of SDSMFHC its employees, agents and officers. This shall not prejudice the right of SDSMFHC to appear in such suit, participate in the defense, and take such actions as may be necessary to protect the interests of the SDSMFHC. If SDSMFHC chooses, at its own election, to obtain independent legal counsel in defense of any claim against the SDSMFHC, related to the performance of the City of National City under this Agreement, then the City of National City agrees to pay the reasonable value of attorney's fees and costs for such independent legal counsel, however, the City of National City shall not be obligated to pay attorney's fees at an hourly rate greater than the hourly rate charged by its defense attorneys in the same matter. The City of National City's obligations under this section shall be reduced dollar for dollar by any amounts SDSMFHC is awarded in such action for attorney's fees and costs.

Section 7. Termination. This Agreement shall renew annually as set forth in Item 2. This Agreement may be terminated for any reason by either party giving ninety (90) days written notice to the other party's designated representative, provided that the Indemnification and Duty to Defend provisions in Item 6 shall survive such termination, for a period of one year.

Notice under this provision shall be communicated in writing in person or by certified mail, return receipt requested as follows:

If to SDSMFHC:	Richard Parker, D.O., FAOASM San Diego Sports Medicine & Family Health Center 6699 Alvarado Road, Suite 101 San Diego, CA 92120
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If to City of National City:	National City Fire Department 1243 National City Boulevard National City, CA 91950
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Section 8. Equal Opportunity. SDSMFHC shall comply with the City of National City's Equal Opportunity Program.

Section 9. Drug-Free Workplace. Upon execution of this Agreement and all subsequent extensions, SDSMFHC agrees to comply with any requirements set forth in City of National City policy regarding drug-free workplace.

Section 10. Americans with Disabilities Act Statement. SDSMFHC shall be responsible for complying with the 1990 Americans with Disabilities Act (ADA). (For specific services and public accommodations, SDSMFHC may contact the Office of the Americans with Disabilities Act, Civil Rights Division, U.S. District of Justice, P.O. Box 66118, Washington, D.C. 20035-6118; phone number (202) 514-0301.)

Section 11. Integration. This Agreement, and all rights and obligations created by this Agreement, shall be in full force and effect whether or not any parties to the Agreement have been succeeded by another entity, and all rights and obligations created by this Agreement shall be vested and binding on any party's successor in interest.

Section 12. Compliance with Controlling Law. SDSMFHC shall comply with all laws, ordinance, regulations, and policies of the federal, state, and local governments applicable to this Agreement. In addition, SDSMFHC shall comply within a reasonable time after receiving written notice by NCFD with all directives issued by the NCFD or its authorized representatives under authority of any laws, statutes, ordinance, rules, or regulations. The laws of the State of California shall govern and control the terms and conditions of this Agreement.

Section 13. Jurisdiction and Venue. The venue for any suit or proceeding concerning the Agreement, the interpretation or application of any of its terms, or any related disputes shall be in the County of San Diego, State of California.

Section 14. No Waiver. No failure of either the City of National City or SDSMFHC to insist upon the strict performance by the other of any covenant, term or condition of the Agreement, nor any failure to exercise any right or remedy consequent upon a breach of any covenant, term, or condition of the Agreement, shall constitute a waiver of any such breach or of such covenant, term or condition. No waiver of any breach shall affect or alter this Agreement, and each and every covenant, condition, and term hereof shall continue in full force and effect to any existing or subsequent breach.

Section 15. Severability. The unenforceability, invalidity, or illegality of any provision of this Agreement shall not render any other provision of this Agreement unenforceable, invalid, or illegal.

Section 16. Drafting Ambiguities. The Parties agree that they are aware they have the right to be advised by counsel with respect to the negotiations, terms and conditions of this Agreement, and the decision whether or not to seek advice of counsel with respect to this Agreement is a decision which is the sole responsibility of each Party. This Agreement shall not be construed in favor of or against either Party by reason of the extent to which each Party participated in the drafting of this Agreement.

Section 17. Signatures—Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement shall not be effective until the execution and delivery between each of the parties of at least one set of counterparts. The parties authorize each other to detach and combine original signature pages and consolidate them into a single identical original. Any one of such completely executed counterparts shall be sufficient proof of this Agreement.

IN WITNESS WHEREOF, this Agreement is executed by the City of National City, acting by and through its Mayor and by SDSMFHC, acting by and through its Wellness Director.

--- Signature Page to Follow ---

CITY OF NATIONAL CITY

Dated: _____

By: _____
Ron Morrison
Mayor

APPROVED AS TO FORM:

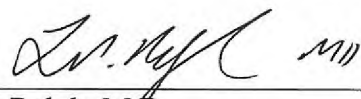
Angil P. Morris-Jones
City Attorney

SAN DIEGO SPORTS MEDICINE AND FAMILY HEALTH CENTER

Dated: 12.20.17

By: 
Richard Parker, D.O., F.A.O.A.S.M.
Wellness Director

Dated: 12/16/17

By: 
Lee Ralph, M.D.
Chief Financial Officer

APPENDIX A

Pre-employment Physicals Group 1 Public Safety Positions

The pre-employment physicals may be utilized by the City of National City to examine new firefighters. The examination will include the following:

1. Review of personal and family health history (questionnaire).
2. Complete physical examination by physician including orthopedic evaluation.
3. Vital signs.
4. Eye tests, near and distant vision, lateral and vertical phorias, color vision using Ishihara plates, also Farnsworth color vision test (D-15) when indicated.
5. Hearing and audiometric performed in audio booth.
6. Radiological studies:
 - a. Two (2) view x-ray exam of the chest (heart and lungs).
 - b. Three (3) view lumbar spine x-rays.
7. Firefighters only: respiratory questionnaire and test with certification.
8. Laboratory studies.
 - a. CBC
 - b. Blood chemistry
 - i. Uric Acid
 - ii. Potassium
 - iii. Phosphatase Chloride
 - iv. Total Protein
 - v. Glucose
 - vi. Nitrogen (BUN)
 - vii. LDH
 - viii. Creatinine
 - ix. LFT's - transaminase, (SGOT and SGPT)
 - c. Urinalysis
 - d. Drug Screen - Urine

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City designating the Director of Emergency Services, Chief of Police, and Homeland Security Manager each as authorized agents for the purpose of obtaining Federal or State financial assistance for cos

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.:

ITEM TITLE:

Resolution of the City Council of the City of National City designating the Director of Emergency Services, Chief of Police, and Homeland Security Manager each as authorized agents for the purpose of obtaining Federal or State financial assistance for cost recovery for all open and future disasters up to three (3) years following the date of approval to include the 2017 Lilac 5 Fire (FEMA-5228-FM-CA). (Fire)

PREPARED BY: Frank Parra, Dir. of Emergency Services

DEPARTMENT: Fire

PHONE: 619-336-4551

APPROVED BY: 

EXPLANATION:

In December 2017, the National City Fire Department (NCFD) was one of the many agencies throughout San Diego County that responded to the Lilac 5 Fire. On January 10th, the NCFD met with representatives from the California's Office of Emergency Services (CalOES) and the Federal Emergency Management Agency (FEMA) in an effort to recover costs associated with the fire response. The City of National City must authorize agent(s) to provide to CalOES for all matters pertaining to such state disaster assistance the assurances and agreements required. The NCFD requests that the Director of Emergency Services, Chief of Police, and Homeland Security Manager be designated as the authorized agents to continue the cost recovery process for all open and future disasters up to three (3) years following the date of approval to include the 2017 Lilac 5 Fire (FEMA-5228-FM-CA).

FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **FINANCE**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION ☐ FINAL ADOPTION ☐

STAFF RECOMMENDATION:

Adopt the resolution.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

1. Designation of Applicant's Agent Resolution
2. Resolution

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE _____ OF THE _____
(Governing Body) (Name of Applicant)

THAT _____, OR
(Title of Authorized Agent)

_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the _____, a public entity
(Name of Applicant)

established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the _____, a public entity established under the laws of the State of California,
(Name of Applicant)

hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

☐ This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

☐ This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this _____ day of _____, 20 _____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

_____, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the _____ of the _____
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20 ____.

(Signature)

(Title)

Cal OES Form 130 Instructions

A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted Resolution is older than three (3) years from the last date of approval, is invalid or has not been submitted.

When completing the Cal OES Form 130, Applicants should fill in the blanks on page 1. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

Name of Applicant: The public entity established under the laws of the State of California. Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the Governor's Office of Emergency Services regarding grants applied for by the Applicant. There are two ways of completing this section:

1. **Titles Only:** If the Governing Body so chooses, the titles of the Authorized Agents would be entered here, not their names. This allows the document to remain valid (for 3 years) if an Authorized Agent leaves the position and is replaced by another individual in the same title. If "Titles Only" is the chosen method, this document must be accompanied by a cover letter naming the Authorized Agents by name and title. This cover letter can be completed by any authorized person within the agency and does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document or their title changes.

Governing Body Representative: These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents, and a minimum of two or more approving board members need to be listed.

Certification Section:

Name and Title: This is the individual that was in attendance and recorded the Resolution creation and approval.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member (if a person holds two positions such as City Manager and Secretary to the Board and the City Manager is to be listed as an Authorized Agent, then the same person holding the Secretary position would sign the document as Secretary to the Board (not City Manager) to eliminate "Self Certification."

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the Mayor to execute a Subordination Agreement allowing a new mortgage that is not-to-exceed \$272,400 to be and remain a lien prior and superior to a home purchase assistance loan on

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the Mayor to execute a Subordination Agreement allowing a new mortgage that is not-to-exceed \$272,400 to be and remain a lien prior and superior to a home purchase assistance loan on a single-unit property located at 726 Mariposa Circle in National City.

PREPARED BY: Angelita Palma, Comm. Dev. Spec. II

DEPARTMENT: Housing & Econ Dev.

PHONE: (619) 336-4219

APPROVED BY:

EXPLANATION:

On November 21, 2017 Resolution 2017-218 to subordinate the loan in the amount of \$265,100 was approved by City Council. Impac Mortgage Corp dba Cashcall Mortgage. ("Lender") made an error in the original not-to-exceed first lien amount by not including the customary closing costs. The request to subordinate the loan has increased to not-to-exceed \$272,400 to now cover closing costs.

On April 6, 2017, the City of National City ("City") made a loan for \$67,400 from the HOME Investment Partnerships Program to assist in the purchase of a condominium located at 726 Mariposa Circle in National City. The City loan is deferred for thirty years charging 3% simple interest with an outstanding principal balance of \$67,400. Cristopher G. Manlongat and Maverick V. Manlongat ("Borrowers") are interested in refinancing the first mortgage loan on the property and have been approved for a new loan from the Lender.

The Lender is requiring that the City execute the attached subordination agreement allowing the new loan to hold superior position to the City-issued loan. The City loan will maintain second lien position on the property. The purpose of the refinance is to reduce the interest rate paid to a fixed rate of 4.125% and there will be no cash proceeds to the Borrowers through the refinance. Staff has satisfactorily reviewed the combined loan-to-value, preliminary title report, new loan terms, and good faith estimate that outline the closing costs of the transaction.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

N/A

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION:

☐

FINAL ADOPTION:

☐

STAFF RECOMMENDATION:

Adopt the Resolution.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Subordination Agreement

RECORDING REQUESTED BY
MORTGAGE CORPORATION, DBA
CASHCALL MORTGAGE

AND WHEN RECORDED MAIL TO:

CITY OF NATIONAL CITY
1243 NATIONAL CITY BLVD
NATIONAL CITY, CA 91950
ATTN: HOUSING & ECONOMIC DEV.

ORDER NO.: 6100224159

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SUBORDINATION AGREEMENT

NOTICE: THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER SECURITY INSTRUMENT.

THIS AGREEMENT, made this 6th day of February, 2018 by Cristopher G. Manlongat and Maverick V. Manlongat, husband and wife as joint tenants of the land hereinafter described and hereinafter referred to as "Owners", and the City of National City, a public body, corporate and politic, as present owner and holder of the deed of trust and note first hereinafter described and hereinafter referred to as "Beneficiary".

WITNESSETH

THAT WHEREAS, Owners have executed a deed of trust, dated April 6, 2017, to Lawyers Title Company as trustee, covering:

PROPERTY ADDRESS: 726 MARIPOSA CIRCLE, NATIONAL CITY, CALIFORNIA 91950

SEE ATTACHED EXHIBIT A FOR FULL DESCRIPTION

ASSESSOR'S PARCEL NUMBER: 557-050-34-26

to secure a note in the sum of \$67,400.00, dated April 6, 2017, in favor of The City of National City, a public body, corporation and politic, which deed of trust was recorded April 13, 2017, Official Records of said county; and

WHEREAS, Owners has executed, or is about to execute, a deed of trust and note in the sum of \$272,400.00 dated _____, in favor of Impac Mortgage Corporation, dba Cashcall Mortgage, hereinafter referred to as "Lender", payable with interest and upon the terms and conditions described therein, which deed of trust is to be recorded concurrently herewith; and

WHEREAS, it is a condition precedent to obtaining said loan that said deed of trust last above mentioned shall unconditionally be and remain at all times a lien or charge upon the land hereinbefore described, prior and superior to the lien or charge of the deed of trust first above mentioned; and

WHEREAS, Lender is willing to make said loan provided the deed of trust securing the same is a lien or charge upon the above described property prior and superior to the lien or charge of the deed of trust first above mentioned and provided that Beneficiary will specifically and unconditionally subordinate the lien or charge of the deed of trust first above mentioned to the lien or charge of the deed of trust in favor of Lender; and

WHEREAS, it is to the mutual benefit of the parties hereto that Lender make such loan to Owner; and Beneficiary is willing that the deed of trust securing the same shall, when recorded, constitute a lien or charge upon said land which is unconditionally prior and superior to the lien or charge of the deed of trust first above mentioned.

NOW THEREFORE, in consideration of the mutual benefits accruing to the parties hereto and other valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged, and in order to induce Lender to make the loan above referred to, it is hereby declared, understood and agreed as follows:

- (1) That said deed of trust securing said note in favor of Lender, and any renewals or extensions thereof, shall unconditionally be and remain at all times a lien or charge on the property therein described, prior and superior to the lien or charge of the deed of trust first above mentioned.

- (2) That Lender would not make its loan above described without this subordination agreement.
- (3) That this agreement shall be the whole and only agreement with regard to the subordination of the lien or charge of the deed of trust first above mentioned to the lien or charge of the deed of trust in favor of Lender above referred to and shall supersede and cancel, but only insofar as would affect the priority between the deeds of trust hereinbefore specifically described, any prior agreement as to such subordination including, but not limited to, those provisions, if any, contained in the deed of trust first above mentioned, which provide for the subordination of the lien or charge thereof to another deed or deeds of trust or to another mortgage or mortgages.

Beneficiary declares, agrees and acknowledges that

- (a) He/She consents to and approves (i) all provisions of the note and deed of trust in favor of Lender above referred to, and (ii) all agreements, including but not limited to any loan or escrow agreements, between Owner and Lender for the disbursement of the proceeds of Lender's loan;
- (b) Lender in making disbursements pursuant to any such agreement is under no obligation or duty to, nor has Lender represented that it will, see to the application of such proceeds by the person or persons to whom Lender disburses such proceeds and any application or use of such proceeds for purposes other than those provided for in such agreement or agreements shall not defeat the subordination herein made in whole or in part;
- (c) He/She intentionally and unconditionally waives, relinquishes and subordinates the lien or charge of the deed of trust first above mentioned in favor of the lien or charge upon said land of the deed of trust in favor of Lender above referred to and understands that in reliance upon, and in consideration of, this waiver, relinquishment and subordination specific loans and advances are being and will be entered into which would not be made or entered into but for said reliance upon this waiver, relinquishment and subordination; and
- (d) An endorsement has been placed upon the note secured by the deed of trust first above mentioned that said deed of trust has by this instrument been subordinated to the lien or charge of the deed of trust in favor of Lender above referred to.

NOTICE: THIS SUBORDINATION AGREEMENT CONTAINS A PROVISION WHICH ALLOWS THE PERSON OBLIGATED ON YOUR REAL PROPERTY SECURITY TO OBTAIN A LOAN A PORTION OF WHICH MAY BE EXPENDED FOR OTHER PURPOSES THAN IMPROVEMENT OF THE LAND.

City of National City, a municipal corporation

Cristopher G. Manlongat

By: Ron Morrison, Mayor

Beneficiary

Maverick V. Manlongat

Owners

(All signatures must be acknowledged)

IT IS RECOMMENDED THAT, PRIOR TO THE EXECUTION OF THIS SUBORDINATION AGREEMENT, THE PARTIES CONSULT WITH THEIR ATTORNEYS WITH RESPECT THERETO.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

} SS:

On _____ before me,
Angelita Palma, a Notary Public, personally appeared Ron Morrison who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

FOR NOTARY SEAL OR STAMP

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF _____

} SS:

On _____ before me,

_____,
a Notary Public, personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

FOR NOTARY SEAL OR STAMP

EXHIBIT "A"

Legal Description of the Property

Property Address: 726 Mariposa Circle, National City, California 91950

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

A CONDOMINIUM COMPRISED OF:

PARCEL 1:

AN UNDIVIDED FRACTIONAL INTEREST AS TENANT IN COMMON IN AND TO THE BUILDING ENVELOPE IN WHICH THE RESIDENTIAL UNIT DESCRIBED IN PARCEL 2 BELOW IS LOCATED EQUAL TO THE RECIPROCAL OF THE NUMBER OF RESIDENTIAL UNITS WITHIN THAT BUILDING ENVELOPE; BEING A PORTION OF LOT 1 OF MARIPOSA WALK IN THE CITY OF NATIONAL CITY, S-2003-08, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 14890, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON OCTOBER 7, 2004.

EXCEPTING THEREFROM EACH RESIDENTIAL UNIT LOCATED WITHIN SUCH BUILDING ENVELOPE, AS SHOWN ON THE CONDOMINIUM PLANS DESCRIBED IN PARCEL 2 BELOW;

PARCEL 2:

RESIDENTIAL UNIT NO. 26, AS SHOWN UPON THE MARIPOSA WALK CONDOMINIUM PLANS RECORDED JANUARY 31, 2005, AS DOCUMENT NO. 2005-0079088, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA (THE "CONDOMINIUM PLANS").

PARCEL 3:

NON-EXCLUSIVE APPURTENANT EASEMENTS IN AND TO THE ASSOCIATION PROPERTY NOW OR HEREAFTER OWNED BY, MARIPOSA WALK CORPORATION, A CALIFORNIA NONPROFIT MUTUAL BENEFIT CORPORATION (THE "ASSOCIATION"), AS DEFINED AND SET FORTH IN THE DECLARATION (DESCRIBED BELOW). USE OF PRIVATE STREETS AND DRIVES IS SUBJECT TO THE TERMS AND CONDITIONS OF THE ACCESS DECLARATION DESCRIBED BELOW.

PARCEL 4:

A NON-EXCLUSIVE APPURTENANT EASEMENT FOR INGRESS AND EGRESS OVER THE "DRIVES" WITHIN LOT 1 OF MARIPOSA WALK IN THE CITY OF NATIONAL CITY, S-2003-08, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 14890, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON OCTOBER 7, 2004, PURSUANT AND SUBJECT TO THE TERMS AND PROVISIONS OF THE ACCESS DECLARATION DESCRIBED BELOW.

PARCEL 5:

THE EXCLUSIVE RIGHT TO USE ANY EXCLUSIVE USE AREA SHOWN ON THE CONDOMINIUM PLANS AS BEING APPURTENANT TO THE RESIDENTIAL UNIT DESCRIBED IN PARCEL 2 ABOVE.

ASSESSOR'S PARCEL NUMBER: 557-050-34-26

EXHIBIT "A"

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the Mayor to execute a Second Amendment to the Agreement with Dokken Engineering, Inc. increasing the not-to-exceed amount of the Agreement by \$100,000 and extending the term of the A

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the Mayor to execute a Second Amendment to the Agreement with Dokken Engineering, Inc. increasing the not-to-exceed amount of the Agreement by \$100,000 and extending the term of the Agreement to November 16, 2018, to provide project management, engineering and construction support services for the Plaza Boulevard Widening Project.

PREPARED BY: Stephen Manganiello

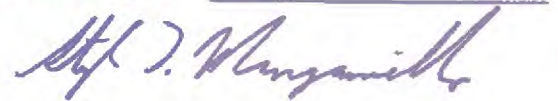
PHONE: 619-336-4382

EXPLANATION:

See attached.

DEPARTMENT: Engineering / Public Works

APPROVED BY:



FINANCIAL STATEMENT:

ACCOUNT NO. Funds appropriated through prior City Council action
001-409-500-598-6573 (Traffic Safety Enhancements)

APPROVED:



Finance

APPROVED:

MIS

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt resolution executing a Second Amendment to the Agreement with Dokken Engineering, Inc. for the Plaza Boulevard Widening Project.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation
2. Second Amendment to Agreement
3. Resolution

Explanation:

On November 17, 2015, per City Council Resolution No. 2015-167, the City of National City entered into an agreement with Dokken Engineering, Inc. to provide project management, engineering and construction support services for the Plaza Boulevard Widening Project. The Agreement is for a not-to-exceed amount of \$100,000 and a term of two years, with the option to extend for an additional one year.

On June 7, 2016, the City Council adopted Resolution No. 2016-73, approving the First Amendment to the Agreement increasing the not-to-exceed amount by \$100,000, for a total Agreement amount of \$200,000.

Phase I ("N" Avenue to I-805) construction of the Plaza Boulevard Widening Project was completed in 2017. In order to continue work on Phase II (Highland Avenue to "N" Avenue) and Phase III (I-805 to Euclid Avenue) of the project, the parties desire to increase the not-to-exceed amount by \$100,000, for a total Agreement amount of \$300,000, and extend the term of the Agreement to November 16, 2018.

Funds are available in the Traffic Safety Enhancements CIP expenditure account through prior budget appropriations.

**SECOND AMENDMENT TO AGREEMENT
BY AND BETWEEN
THE CITY OF NATIONAL CITY
AND
DOKKEN ENGINEERING, INC.**

This Second Amendment to the Agreement is entered into this 6th day of February, 2018 by and between the City of National City, a municipal corporation ("CITY"), and Dokken Engineering, Inc. (the "CONSULTANT").

RECITALS

WHEREAS, The CITY and the CONSULTANT entered into an Agreement on November 17, 2015, ("the Agreement") through the adoption of City of National City Council Resolution No. 2015-167, wherein the CONSULTANT agreed to provide project management, engineering and construction support services for Plaza Boulevard Widening Project.

WHEREAS, the original Agreement had had a not-to-exceed amount of \$100,000 and a term of two years, with the option to extend for an additional period of up to one year, and

WHEREAS, on June 7, 2016, the City Council adopted Resolution No. 2016-73, approving the First Amendment to the Agreement increasing the not-to-exceed amount by \$100,000, for a total Agreement amount of \$200,000; and

WHEREAS, to continue work on the Plaza Boulevard Widening Project, the parties desire to increase the not-to-exceed amount by \$100,000, for a total Agreement amount of \$300,000, and extend the term of the Agreement to November 16, 2018.

AGREEMENT

NOW, THEREFORE, the parties agree to amend the Agreement entered into on November 17, 2015 as follows:

1. Increase the not-to-exceed amount by \$100,000, for a total Agreement amount of \$300,000.
2. Extend the term of the Agreement to November 16, 2018.
3. The parties further agree that with the foregoing exception, each and every term and provision of the Agreement dated November 17, 2015, shall remain in full force and effect.

<signatures on next page>

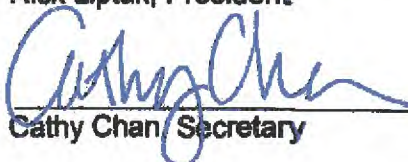
IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment on the date and year first above written.

CITY OF NATIONAL CITY

DOKKEN ENGINEERING, INC.

By: _____
Ron Morrison, Mayor

By: _____
Rick Liptak, President

By: _____
Cathy Chan, Secretary

APPROVED AS TO FORM:
Angil P. Morris-Jones
City Attorney

By: _____
Roberto M. Contreras
Deputy City Attorney



CERTIFICATE OF LIABILITY INSURANCE

Page 1 of 2

DATE (MM/DD/YYYY)

01/24/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Willis of Illinois, Inc.
c/o 26 Century Blvd
P.O. Box 305191
Nashville, TN 372305191 USA

CONTACT NAME:
PHONE (A/C No. Ext): 1-877-945-7378 **FAX (A/C No.):** 1-888-467-2378
E-MAIL ADDRESS: certificates@willis.com

INSURER(S) AFFORDING COVERAGE		NAIC#
INSURER A:	Travelers Property Casualty Company of Am	25674
INSURER B:	Underwriters at Lloyd's London	15792
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

INSURED
Dokken Engineering, Inc.
110 Blue Ravine Road, Suite 200
Folsom, CA 95630

COVERAGES**CERTIFICATE NUMBER:** W5146893**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	Y	6804J796716	05/31/2017	05/31/2018	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DA WAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
						MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY	Y	BAAJ797774	05/31/2017	05/31/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					BODILY INJURY (Per person) \$
						BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB		CUP4J802819	05/31/2017	05/31/2018	EACH OCCURRENCE \$ 5,000,000
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					AGGREGATE \$ 5,000,000
						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N	UB4J802198	05/31/2017	05/31/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in HI)					E.I. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.I. DISEASE - EA EMPLOYEE \$ 1,000,000
						E.I. DISEASE - POLICY LIMIT \$ 1,000,000
B	Professional Liability		FET-AEP-10772	05/31/2017	05/31/2018	Per Claim: 2,000,000.00 Aggregate: 2,000,000.00 Deductible Per Claim: 100,000.00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: All Operations of the Named Insured.

The City of National City, its elected officials, officers, agents, and employees are named as Additional insureds for General Liability and Automobile Liability.

General Liability policy shall be Primary and Non-Contributory with any other insurance in force for or which may be purchased by Additional Insureds.

CERTIFICATE HOLDER**CANCELLATION**

City of National City
c/o Risk Manager
1243 National City Blvd.
National City, CA 91950-4301

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2016/03)

The ACORD name and logo are registered marks of ACORD

ID: 15572444

BATCH: 581499

AGENCY CUSTOMER ID: _____
LOC #: _____



ADDITIONAL REMARKS SCHEDULE

Page 2 of 2

AGENCY Willis of Illinois, Inc.		NAMED INSURED Dikken Engineering, Inc. 110 Blue Ravine Road, Suite 200 Folsom, CA 95630
POLICY NUMBER See Page 1		
CARRIER See Page 1	NAIC CODE See Page 1	EFFECTIVE DATE: See Page 1

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

Waiver of Subrogation applies in favor of Additional Insureds with respects to Workers Compensation, as permitted by law.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BLANKET ADDITIONAL INSURED (ARCHITECTS, ENGINEERS AND SURVEYORS)

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

1. The following is added to SECTION II – WHO IS AN INSURED:

Any person or organization that you agree in a "written contract requiring insurance" to include as an additional insured on this Coverage Part, but:

- a. Only with respect to liability for "bodily injury", "property damage" or "personal injury"; and
- b. If, and only to the extent that, the injury or damage is caused by acts or omissions of you or your subcontractor in the performance of "your work" to which the "written contract requiring insurance" applies, or in connection with premises owned by or rented to you.

The person or organization does not qualify as an additional insured:

- c. With respect to the independent acts or omissions of such person or organization; or
- d. For "bodily injury", "property damage" or "personal injury" for which such person or organization has assumed liability in a contract or agreement.

The insurance provided to such additional insured is limited as follows:

- e. This insurance does not apply on any basis to any person or organization for which coverage as an additional insured specifically is added by another endorsement to this Coverage Part.
- f. This insurance does not apply to the rendering of or failure to render any "professional services".
- g. In the event that the Limits of Insurance of the Coverage Part shown in the Declarations exceed the limits of liability required by the "written contract requiring insurance", the insurance provided to the additional insured shall be limited to the limits of liability required by that "written contract requiring insurance". This endorsement does not increase the limits of insurance described in Section III – Limits Of Insurance.

- h. This insurance does not apply to "bodily injury" or "property damage" caused by "your work" and included in the "products-completed operations hazard" unless the "written contract requiring insurance" specifically requires you to provide such coverage for that additional insured, and then the insurance provided to the additional insured applies only to such "bodily injury" or "property damage" that occurs before the end of the period of time for which the "written contract requiring insurance" requires you to provide such coverage or the end of the policy period, whichever is earlier.

2. The following is added to Paragraph 4.a. of SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS:

The insurance provided to the additional insured is excess over any valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the additional insured for a loss we cover. However, if you specifically agree in the "written contract requiring insurance" that this insurance provided to the additional insured under this Coverage Part must apply on a primary basis or a primary and non-contributory basis, this insurance is primary to other insurance available to the additional insured which covers that person or organizations as a named insured for such loss, and we will not share with the other insurance, provided that:

- (1) The "bodily injury" or "property damage" for which coverage is sought occurs; and
- (2) The "personal injury" for which coverage is sought arises out of an offense committed;

after you have signed that "written contract requiring insurance". But this insurance provided to the additional insured still is excess over valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the additional insured when that person or organization is an additional insured under any other insurance.

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3. The following is added to Paragraph 8., **Transfer Of Rights Of Recovery Against Others To Us**, of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

We waive any right of recovery we may have against any person or organization because of payments we make for "bodily injury", "property damage" or "personal injury" arising out of "your work" performed by you, or on your behalf, done under a "written contract requiring insurance" with that person or organization. We waive this right only where you have agreed to do so as part of the "written contract requiring insurance" with such person or organization signed by you before, and in effect when, the "bodily injury" or "property damage" occurs, or the "personal injury" offense is committed.

4. The following definition is added to the **DEFINITIONS** Section:

"Written contract requiring insurance" means that part of any written contract under which you are required to include a person or organization as an additional insured on this Coverage Part, provided that the "bodily injury" and "property damage" occurs and the "personal injury" is caused by an offense committed:

- a. After you have signed that written contract;
- b. While that part of the written contract is in effect; and
- c. Before the end of the policy period.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ARCHITECTS, ENGINEERS AND SURVEYORS COVERAGE XTEND ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

GENERAL DESCRIPTION OF COVERAGE This endorsement broadens coverage. However, coverage for any injury, damage or medical expenses described in any of the provisions of this endorsement may be excluded or limited by another endorsement to this Coverage Part, and these coverage broadening provisions do not apply to the extent that coverage is excluded or limited by such an endorsement. The following listing is a general coverage description only. Limitations and exclusions may apply to these coverages. Read all the provisions of this endorsement and the rest of your policy carefully to determine rights, duties, and what is and is not covered.

- | | |
|---|--|
| <ul style="list-style-type: none"> A. Broadened Named Insured B. Incidental Medical Malpractice C. Reasonable Force – Bodily Injury Or Property Damage D. Non-Owned Watercraft – Increased To Up To 75 feet E. Aircraft Chartered With Crew F. Damage To Premises Rented To You G. Malicious Prosecution – Exception To Knowing Violation Of Rights Of Another Exclusion H. Medical Payments – Increased Limit I. Increased Supplementary Payments J. Additional Insured – Owner, Manager Or Lessor Of Premises | <ul style="list-style-type: none"> K. Additional Insured – Lessor Of Leased Equipment L. Additional Insured – State Or Political Subdivisions – Permits Relating To Premises M. Additional Insured – State Or Political Subdivisions – Permits Relating To Operations N. Who Is An Insured – Newly Acquired Or Formed Organizations O. Knowledge And Notice Of Occurrence Or Offense P. Unintentional Omission Q. Waiver Of Transfer Of Rights Of Recovery Against Others To Us When Required By Written Contract R. Amended Insured Contract Definition – Railroad Easement |
|---|--|

PROVISIONS

A. BROADENED NAMED INSURED

1. The following is added to **SECTION II – WHO IS AN INSURED**:

Any organization, other than a partnership or joint venture, over which you maintain ownership or majority interest on the effective date of the policy qualifies as a Named Insured. However, coverage for any such additional organization will cease as of the date during the policy period that you no longer maintain ownership of, or majority interest in, such organization.

B. INCIDENTAL MEDICAL MALPRACTICE

1. The following is added to the definition of "occurrence" in the **DEFINITIONS** Section:

Unless you are in the business or occupation of providing professional health care services, "occurrence" also means an act or omission committed in providing or failing to provide first aid or "Good Samaritan services" to a person.

2. The following is added to the **DEFINITIONS** Section:

"Good Samaritan services" means any emergency medical services for which no compensation is demanded or received.

3. The following is added to Paragraph 2.a.(1) of **SECTION II – WHO IS AN INSURED**:

Unless you are in the business or occupation of providing professional health care services, Paragraphs (1)(a), (b), (c) and (d) above

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does not apply to any "bodily injury" arising out of any providing or failing to provide first aid or "Good Samaritan services" by any of your "employees", other than an employed doctor. Any such "employees" providing or failing to provide first aid or "Good Samaritan services" during their work hours for you will be deemed to be acting within the scope of their employment by you or performing duties related to the conduct of your business.

4. The following exclusion is added to Paragraph 2., Exclusions, of **SECTION I – COVERAGES – COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY** in **COVERAGES**:

Sale of Pharmaceuticals

"Bodily injury" or "property damage" arising out of the willful violation of a penal statute or ordinance relating to the sale of pharmaceuticals committed by, or with the knowledge or consent of, the insured.

5. The following is added to Paragraph 5. of **SECTION III – LIMITS OF INSURANCE**:

For the purposes of determining the applicable Each Occurrence Limit, all related acts or omissions committed in the providing or failing to provide first aid or "Good Samaritan services" to any one person will be considered one "occurrence".

6. The following is added to Paragraph 4.b., **Excess Insurance**, of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

This insurance is excess over any valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to any of your "employees" for "bodily injury" that arises out of providing or failing to provide first aid or "Good Samaritan services" to any person to the extent not subject to Paragraph 2.a.(1) of Section II – Who Is An Insured.

C. REASONABLE FORCE – BODILY INJURY OR PROPERTY DAMAGE

The following replaces Exclusion a., **Expected Or Intended Injury**, in Paragraph 2. of **SECTION I – COVERAGES – COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY**:

- a. **Expected Or Intended Injury Or Damage**

"Bodily injury" or "property damage" expected or intended from the standpoint of the

insured. This exclusion does not apply to "bodily injury" or "property damage" resulting from the use of reasonable force to protect any person or property.

D. NON-OWNED WATERCRAFT – INCREASED TO UP TO 75 FEET

1. The following replaces Paragraph (2) of Exclusion g., **Aircraft, Auto Or Watercraft**, in Paragraph 2. of **SECTION I – COVERAGES – COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY**:

(2) A watercraft you do not own that is:

- (a) Less than 75 feet long; and
- (b) Not being used to carry any person or property for a charge;

2. The following is added to Paragraph 2. of **SECTION II – WHO IS AN INSURED**:

Any person or organization that, with your express or implied consent, either uses or is responsible for the use of a watercraft that you do not own that is:

- (a) Less than 75 feet long; and
- (b) Not being used to carry any person or property for a charge;

3. The following is added to Paragraph 4.b., **Excess Insurance**, of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

This insurance is excess over any valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the insured for "bodily injury" that arises out of the use of a watercraft that you do not own that is:

- (a) Less than 75 feet long; and
- (b) Not being used to carry any person or property for a charge.

E. AIRCRAFT CHARTERED WITH CREW

1. The following is added to Exclusion g., **Aircraft, Auto Or Watercraft**, in Paragraph 2. of **SECTION I – COVERAGES – COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY** in **COVERAGES**:

This exclusion does not apply to an aircraft that is:

- (a) Chartered with crew to any insured;

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- (b) Not owned by any insured; and
- (c) Not being used to carry any person or property for a charge.

2. The following is added to Paragraph 4.b., **Excess Insurance**, of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

This insurance is excess over any valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the insured for use of an aircraft that is:

- (a) Chartered with crew to any insured;
- (b) Not owned by any insured; and
- (c) Not being used to carry any person or property for a charge.

F. DAMAGE TO PREMISES RENTED TO YOU

1. The following replaces the last paragraph of Paragraph 2., **Exclusions**, of **SECTION I – COVERAGES – COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY** in **COVERAGES**:

Exclusions c. through n. do not apply to damage to premises while rented to you, or temporarily occupied by you with permission of the owner, caused by:

- a. Fire;
- b. Explosion;
- c. Lightning;
- d. Smoke resulting from such fire, explosion, or lightning; or
- e. Water.

A separate limit of insurance applies to such damage to premises as described in Paragraph 6. of Section III – Limits Of Insurance. This insurance does not apply to damage to premises while rented to you, or temporarily occupied by you with permission of the owner, caused by:

- a. Rupture, bursting, or operation of pressure relief devices;
- b. Rupture or bursting due to expansion or swelling of the contents of any building or structure, caused by or resulting from water; or
- c. Explosion of steam boilers, steam pipes, steam engines, or steam turbines.

2. The following replaces Paragraph 6. of **SECTION III – LIMITS OF INSURANCE**:

Subject to 5. above, the Damage To Premises Rented To You Limit is the most we will pay under Coverage A for damages because of "property damage" to any one premises while rented to you, or temporarily occupied by you with permission of the owner, caused by fire; explosion; lightning; smoke resulting from such fire, explosion, or lightning; or water. The Damage To Premises Rented To You Limit will apply to all damage proximately caused by the same "occurrence", whether such damage results from: fire; explosion; lightning; smoke resulting from such fire, explosion, or lightning; or water; or any combination of any of these.

The Damage To Premises Rented To You Limit will be the higher of:

- a. \$1,000,000; or
- b. The amount shown on the Declarations of this Coverage Part for Damage To Premises Rented To You Limit.

3. The following replaces Paragraph a. of the definition of "insured contract" in the **DEFINITIONS** Section:

- a. A contract for a lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damage to premises while rented to you, or temporarily occupied by you with permission of the owner, caused by:

- (1) Fire;
- (2) Explosion;
- (3) Lightning;
- (4) Smoke resulting from such fire, explosion, or lightning; or
- (5) Water,

is not an "insured contract";

4. The following replaces Paragraph 4.b.(1)(b) of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

- (b) That is insurance for premises rented to you, or temporarily occupied by you with the permission of the owner;

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G. MALICIOUS PROSECUTION – EXCEPTION TO KNOWING VIOLATION OF RIGHTS OF ANOTHER EXCLUSION

The following is added to Exclusion a., **Knowing Violation Of Rights Of Another**, in Paragraph 2. of **SECTION I – COVERAGES – COVERAGE B PERSONAL AND ADVERTISING INJURY LIABILITY**:

This exclusion does not apply to "personal injury" caused by malicious prosecution.

H. MEDICAL PAYMENTS – INCREASED LIMIT

The following replaces Paragraph 7. of **SECTION III – LIMITS OF INSURANCE**:

7. Subject to 5. above, the Medical Expense Limit is the most we will pay under Coverage C. for all medical expenses because of "bodily injury" sustained by any one person, and will be the higher of:

- (a) \$10,000; or
- (b) The amount shown on the Declarations of this Coverage Part for Medical Expense Limit.

I. INCREASED SUPPLEMENTARY PAYMENTS

1. The following replaces Paragraph 1.b. of **SUPPLEMENTARY PAYMENTS – COVERAGES A AND B of SECTION I – COVERAGES**:

- b. Up to \$2,500 for cost of bail bonds required because of accidents or traffic law violations arising out of the use of any vehicle to which the Bodily Injury Liability Coverage applies. We do not have to furnish these bonds.

2. The following replaces Paragraph 1.d. of **SUPPLEMENTARY PAYMENTS – COVERAGES A AND B of SECTION I – COVERAGES**:

- d. All reasonable expenses incurred by the Insured at our request to assist us in the investigation or defense of the claim or "suit", including actual loss of earnings up to \$500 a day because of time off from work.

J. ADDITIONAL INSURED – OWNER, MANAGER OR LESSOR OF PREMISES

The following is added to **SECTION II – WHO IS AN INSURED**:

Any person or organization that is a premises owner, manager or lessor and that you have agreed in a written contract to name as an additional insured on this Coverage Part is an

insured, but only with respect to liability for "bodily injury", "property damage", "personal injury" or "advertising injury" that:

- a. Is "bodily injury" or "property damage" caused by an "occurrence" that takes place, or "personal injury" caused by an offense that is committed, after you have signed that contract; and
- b. Arises out of the ownership, maintenance or use of that part of any premises leased to you under that written contract.

The insurance provided to such premises owner, manager or lessor is subject to the following provisions:

- a. The limits of insurance provided to such premises owner, manager or lessor will be the limits which you agreed to provide in the written contract, or the limits shown on the Declarations of this Coverage Part, whichever are less.
- b. The insurance provided to such premises owner, manager or lessor does not apply to:
 - (1) "Bodily Injury" or "property damage" caused by an "occurrence" that takes place, or "personal injury" caused by an offense that is committed, after you cease to be a tenant in that premises; or
 - (2) Structural alterations, new construction or demolition operations performed by or on behalf of such premises owner, manager or lessor.
- c. The insurance provided to such premises owner, manager or lessor is excess over any valid and collectible other insurance available to such premises owner, manager or lessor, unless you have agreed in a written contract for this insurance to apply on a primary or contributory basis.

K. ADDITIONAL INSURED – LESSOR OF LEASED EQUIPMENT

The following is added to **SECTION II – WHO IS AN INSURED**:

Any person or organization that is an equipment lessor and that you have agreed in a written contract to name as an additional insured on this Coverage Part is an insured, but only with respect to liability for "bodily injury", "property damage", "personal injury" or "advertising injury" that:

- a. Is "bodily injury" or "property damage" caused by an "occurrence" that takes place, or "personal injury" caused by an offense that is

committed, after you have signed that written contract; and

- b. Is caused, in whole or in part, by acts or omissions of you or any person or organization performing operations on your behalf, in the maintenance, operation or use of equipment leased to you by such equipment lessor.

The insurance provided to such equipment lessor is subject to the following provisions:

- a. The limits of insurance provided to such equipment lessor will be the limits which you agreed to provide in the written contract, or the limits shown on the Declarations of this Coverage Part, whichever are less; and
- b. The insurance provided to such equipment lessor does not apply:
 - (1) To any "bodily injury" or "property damage" caused by an "occurrence" that takes place, or "personal injury" caused by an offense that is committed, after the equipment lease expires; or
 - (2) If the equipment is leased with an operator.
- c. The insurance provided to such equipment lessor is excess over any valid and collectible other insurance available to such equipment lessor, unless you have agreed in a written contract for this insurance to apply on a primary or contributory basis.

L. ADDITIONAL INSURED - STATE OR POLITICAL SUBDIVISIONS - PERMITS RELATING TO PREMISES

The following is added to Paragraph 2. of SECTION II - WHO IS AN INSURED:

Any state or political subdivision that has issued a permit in connection with premises owned or occupied by, or rented or loaned to, you, is an insured, but only with respect to "bodily injury", "property damage", "personal injury" or "advertising injury" arising out of the existence, ownership, use, maintenance, repair, construction, erection or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, elevators, street banners or decorations for which that state or political subdivision has issued such permit.

M. ADDITIONAL INSURED - STATE OR POLITICAL SUBDIVISIONS - PERMITS RELATING TO OPERATIONS

The following is added to Paragraph 2. of SECTION II - WHO IS AN INSURED:

Any state or political subdivision that has issued a permit with respect to operations performed by you or on your behalf is an insured, but only with respect to "bodily injury", "property damage", "personal injury" or "advertising injury" arising out of operations performed by you or on your behalf for which that state or political subdivision has issued such permit. However, no such state or political subdivision is an insured for:

- (1) "Bodily injury", "property damage", "personal injury" or "advertising injury" arising out of operations performed for that state or political subdivision; or
- (2) "Bodily injury" or "property damage" included within the "products - completed operations hazard".

N. WHO IS AN INSURED - NEWLY ACQUIRED OR FORMED ORGANIZATIONS

The following replaces Paragraph 4.a. of SECTION II - WHO IS AN INSURED:

- a. Coverage under this provision is afforded only:
 - (1) Until the 180th day after you acquire or form the organization or the end of the policy period, whichever is earlier, if you do not report such organization in writing to us within 180 days after you acquire or form it; or
 - (2) Until the end of the policy period, when that date is later than 180 days after you acquire or form such organizations, if you report such organization in writing to us within 180 days after you acquire or form it.

O. KNOWLEDGE AND NOTICE OF OCCURRENCE OR OFFENSE

The following is added to Paragraph 2., Duties In The Event of Occurrence, Offense, Claim Or Suit, of SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS:

- e. The following provisions apply to Paragraph a. above, but only for the purposes of the insurance provided under this Coverage Part to you or any insured listed in Paragraph 1. or 2. of Section II - Who Is An Insured:

COMMERCIAL GENERAL LIABILITY

- (1) Notice to us of such "occurrence" or of an offense must be given as soon as practicable only after the "occurrence" or offense is known to you (if you are an individual), any of your partners or members who is an individual (if you are a partnership or joint venture), any of your managers who is an individual (if you are a limited liability company), any of your trustees who is an individual (if you are a trust), any of your "executive officers" or directors (if you are an organization other than a partnership, joint venture, limited liability company or trust), or any "employee" (such as an insurance, loss control or risk manager or administrator) authorized by you to give notice of an "occurrence" or offense.

Knowledge by any other "employee" of an "occurrence" or offense does not imply that you also have such knowledge.

- (2) If you are a partnership, joint venture, limited liability company or trust, and none of your partners, joint venture members, managers or trustees are individuals, notice to us of such "occurrence" or offense must be given as soon as practicable only after the "occurrence" or offense is known by:
- (a) Any individual who is:
 - (i) A partner or member of any partnership or joint venture;
 - (ii) A manager of any limited liability company;
 - (iii) A trustee of any trust; or
 - (iv) An executive officer or director of any other organization;that is your partner, joint venture member, manager or trustee; or
 - (b) Any "employee" authorized by such partnership, joint venture, limited liability company, trust or other organization to give notice of an "occurrence" or offense.
- (3) Notice to us of such "occurrence" or offense will be deemed to be given as soon as practicable if it is given in good faith as soon as practicable to your workers' compensation, accident, or

health insurer. This applies only if you subsequently give notice to us of the "occurrence" or offense as soon as practicable after any of the persons described in Paragraphs e. (1) or (2) above discovers that the "occurrence" or offense may result in sums to which the insurance provided under the Coverage Part may apply.

P. UNINTENTIONAL OMISSION

The following is added to Paragraph 6., **Representations**, of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

The unintentional omission of, or unintentional error in, any information provided by you which we relied upon in issuing this policy will not prejudice your rights under this insurance. However, this provision does not affect our right to collect additional premium or to exercise our rights of cancellation or nonrenewal in accordance with applicable insurance laws or regulations.

Q. WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US WHEN REQUIRED BY WRITTEN CONTRACT

The following is added to Paragraph 8., **Transfer of Rights of Recovery Against Others to Us**, of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

We waive any right of recovery we may have against any person or organization because of payments we make for injury or damage arising out of premises owned or occupied by or rented or loaned to you; ongoing operations performed by you or on your behalf, done under a written contract with that person or organization; "your work"; or "your products". We waive this right where you have agreed to do so as part of a written contract signed by you prior to loss.

R. AMENDED INSURED CONTRACT DEFINITION – RAILROAD EASEMENT

1. The following replaces Paragraph c. of the definition of "insured contract" in the **DEFINITIONS** Section:

c. Any easement or license agreement;

2. Paragraph f.(1) of the definition of "insured contract" in the **DEFINITIONS** Section is deleted.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BUSINESS AUTO EXTENSION ENDORSEMENT

This endorsement modifies insurance provided under the following:
BUSINESS AUTO COVERAGE FORM

GENERAL DESCRIPTION OF COVERAGE – This endorsement broadens coverage. However, coverage for any injury, damage or medical expenses described in any of the provisions of this endorsement may be excluded or limited by another endorsement to the Coverage Part, and these coverage broadening provisions do not apply to the extent that coverage is excluded or limited by such an endorsement. The following listing is a general coverage description only. Limitations and exclusions may apply to these coverages. Read all the provisions of this endorsement and the rest of your policy carefully to determine rights, duties, and what is and is not covered.

- | | |
|---|---|
| A. BROAD FORM NAMED INSURED | H. HIRED AUTO PHYSICAL DAMAGE – LOSS OF USE – INCREASED LIMIT |
| B. BLANKET ADDITIONAL INSURED | I. PHYSICAL DAMAGE – TRANSPORTATION EXPENSES – INCREASED LIMIT |
| C. EMPLOYEE HIRED AUTO | J. PERSONAL PROPERTY |
| D. EMPLOYEES AS INSURED | K. AIRBAGS |
| E. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS | L. NOTICE AND KNOWLEDGE OF ACCIDENT OR LOSS |
| F. HIRED AUTO – LIMITED WORLDWIDE COVERAGE – INDEMNITY BASIS | M. BLANKET WAIVER OF SUBROGATION |
| G. WAIVER OF DEDUCTIBLE – GLASS | N. UNINTENTIONAL ERRORS OR OMISSIONS |

PROVISIONS

A. BROAD FORM NAMED INSURED

The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – COVERED AUTOS LIABILITY COVERAGE**:

Any organization you newly acquire or form during the policy period over which you maintain 50% or more ownership interest and that is not separately insured for Business Auto Coverage. Coverage under this provision is afforded only until the 180th day after you acquire or form the organization or the end of the policy period, whichever is earlier.

B. BLANKET ADDITIONAL INSURED

The following is added to Paragraph a. in A.1., **Who Is An Insured**, of **SECTION II – COVERED AUTOS LIABILITY COVERAGE**:

Any person or organization who is required under a written contract or agreement between you and that person or organization, that is signed and executed by you before the "bodily injury" or "property damage" occurs and that is in effect during the policy period, to be named as an additional insured is an "insured" for Covered Autos Liability Coverage, but only for damages to which

this insurance applies and only to the extent that person or organization qualifies as an "insured" under the **Who Is An Insured** provision contained in Section II.

C. EMPLOYEE HIRED AUTO

1. The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – COVERED AUTOS LIABILITY COVERAGE**:

An "employee" of yours is an "insured" while operating an "auto" hired or rented under a contract or agreement in an "employee's" name, with your permission, while performing duties related to the conduct of your business.

2. The following replaces Paragraph b. in B.5., **Other Insurance**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

- a. For **Hired Auto Physical Damage Coverage**, the following are deemed to be covered "autos" you own:

- (1) Any covered "auto" you lease, hire, rent or borrow; and

- (2) Any covered "auto" hired or rented by your "employee" under a contract in an "employee's" name, with your

COMMERCIAL AUTO

permission, while performing duties related to the conduct of your business.

However, any "auto" that is leased, hired, rented or borrowed with a driver is not a covered "auto".

D. EMPLOYEES AS INSURED

The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – COVERED AUTOS LIABILITY COVERAGE**:

Any "employee" of yours is an "insured" while using a covered "auto" you don't own, hire or borrow in your business or your personal affairs.

E. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS

1. The following replaces Paragraph A.2.a.(2), of **SECTION II – COVERED AUTOS LIABILITY COVERAGE**:

(2) Up to \$3,000 for cost of bail bonds (including bonds for related traffic law violations) required because of an "accident" we cover. We do not have to furnish these bonds.

2. The following replaces Paragraph A.2.a.(4), of **SECTION II – COVERED AUTOS LIABILITY COVERAGE**:

(4) All reasonable expenses incurred by the "insured" at our request, including actual loss of earnings up to \$500 a day because of time off from work.

F. HIRED AUTO – LIMITED WORLDWIDE COVERAGE – INDEMNITY BASIS

The following replaces Subparagraph (5) in Paragraph B.7., **Policy Period, Coverage Territory**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

(5) Anywhere in the world, except any country or jurisdiction while any trade sanction, embargo, or similar regulation imposed by the United States of America applies to and prohibits the transaction of business with or within such country or jurisdiction, for Covered Autos Liability Coverage for any covered "auto" that you lease, hire, rent or borrow without a driver for a period of 30 days or less and that is not an "auto" you lease, hire, rent or borrow from any of your "employees", partners (if you are a partnership), members (if you are a limited liability company) or members of their households.

(a) With respect to any claim made or "suit" brought outside the United States of America, the territories and possessions of the United States of America, Puerto Rico and Canada:

(i) You must arrange to defend the "insured" against, and investigate or settle any such claim or "suit" and keep us advised of all proceedings and actions.

(ii) Neither you nor any other involved "insured" will make any settlement without our consent.

(iii) We may, at our discretion, participate in defending the "insured" against, or in the settlement of, any claim or "suit".

(iv) We will reimburse the "insured" for sums that the "insured" legally must pay as damages because of "bodily injury" or "property damage" to which this insurance applies, that the "insured" pays with our consent, but only up to the limit described in Paragraph C., **Limits Of Insurance**, of **SECTION II – COVERED AUTOS LIABILITY COVERAGE**.

(v) We will reimburse the "insured" for the reasonable expenses incurred with our consent for your investigation of such claims and your defense of the "insured" against any such "suit", but only up to and included within the limit described in Paragraph C., **Limits Of Insurance**, of **SECTION II – COVERED AUTOS LIABILITY COVERAGE**, and not in addition to such limit. Our duty to make such payments ends when we have used up the applicable limit of insurance in payments for damages, settlements or defense expenses.

(b) This insurance is excess over any valid and collectible other insurance available to the "insured" whether primary, excess, contingent or on any other basis.

(c) This insurance is not a substitute for required or compulsory insurance in any country outside the United States, its territories and possessions, Puerto Rico and Canada.

You agree to maintain all required or compulsory insurance in any such country up to the minimum limits required by local law. Your failure to comply with compulsory insurance requirements will not invalidate the coverage afforded by this policy, but we will only be liable to the same extent we would have been liable had you complied with the compulsory insurance requirements.

- (d) It is understood that we are not an admitted or authorized insurer outside the United States of America, its territories and possessions, Puerto Rico and Canada. We assume no responsibility for the furnishing of certificates of insurance, or for compliance in any way with the laws of other countries relating to insurance.

G. WAIVER OF DEDUCTIBLE - GLASS

The following is added to Paragraph D., Deductible, of SECTION III - PHYSICAL DAMAGE COVERAGE:

No deductible for a covered "auto" will apply to glass damage if the glass is repaired rather than replaced.

H. HIRED AUTO PHYSICAL DAMAGE - LOSS OF USE - INCREASED LIMIT

The following replaces the last sentence of Paragraph A.4.b., Loss Of Use Expenses, of SECTION III - PHYSICAL DAMAGE COVERAGE:

However, the most we will pay for any expenses for loss of use is \$65 per day, to a maximum of \$750 for any one "accident".

I. PHYSICAL DAMAGE - TRANSPORTATION EXPENSES - INCREASED LIMIT

The following replaces the first sentence in Paragraph A.4.a., Transportation Expenses, of SECTION III - PHYSICAL DAMAGE COVERAGE:

We will pay up to \$50 per day to a maximum of \$1,500 for temporary transportation expense incurred by you because of the total theft of a covered "auto" of the private passenger type.

J. PERSONAL PROPERTY

The following is added to Paragraph A.4., Coverage Extensions, of SECTION III - PHYSICAL DAMAGE COVERAGE:

Personal Property

We will pay up to \$400 for "loss" to wearing apparel and other personal property which is:

- (1) Owned by an "insured"; and

- (2) In or on your covered "auto".

This coverage applies only in the event of a total theft of your covered "auto".

No deductibles apply to this Personal Property coverage.

K. AIRBAGS

The following is added to Paragraph B.3., Exclusions, of SECTION III - PHYSICAL DAMAGE COVERAGE:

Exclusion 3.a. does not apply to "loss" to one or more airbags in a covered "auto" you own that inflate due to a cause other than a cause of "loss" set forth in Paragraphs A.1.b. and A.1.c., but only:

- If that "auto" is a covered "auto" for Comprehensive Coverage under this policy;
- The airbags are not covered under any warranty; and
- The airbags were not intentionally inflated.

We will pay up to a maximum of \$1,000 for any one "loss".

L. NOTICE AND KNOWLEDGE OF ACCIDENT OR LOSS

The following is added to Paragraph A.2.a., of SECTION IV - BUSINESS AUTO CONDITIONS:

Your duty to give us or our authorized representative prompt notice of the "accident" or "loss" applies only when the "accident" or "loss" is known to:

- You (if you are an individual);
- A partner (if you are a partnership);
- A member (if you are a limited liability company);
- An executive officer, director or insurance manager (if you are a corporation or other organization); or
- Any "employee" authorized by you to give notice of the "accident" or "loss".

M. BLANKET WAIVER OF SUBROGATION

The following replaces Paragraph A.5., Transfer Of Rights Of Recovery Against Others To Us, of SECTION IV - BUSINESS AUTO CONDITIONS:

5. Transfer Of Rights Of Recovery Against Others To Us

We waive any right of recovery we may have against any person or organization to the extent required of you by a written contract signed and executed prior to any "accident" or "loss", provided that the "accident" or "loss" arises out of operations contemplated by

COMMERCIAL AUTO

such contract. The waiver applies only to the person or organization designated in such contract.

N. UNINTENTIONAL ERRORS OR OMISSIONS

The following is added to Paragraph B.2., **Concealment, Misrepresentation, Or Fraud**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

The unintentional omission of, or unintentional error in, any information given by you shall not prejudice your rights under this insurance. However this provision does not affect our right to collect additional premium or exercise our right of cancellation or non-renewal.

TRAVELERS

ONE TOWER SQUARE
HARTFORD CT 06183

WORKERS COMPENSATION
AND
EMPLOYERS LIABILITY POLICY

ENDORSEMENT WC 99 03 76 (A)

POLICY NUMBER: UB-4JB02198-17-47-G

**WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS
ENDORSEMENT - CALIFORNIA
(BLANKET WAIVER)**

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule.

The additional premium for this endorsement shall be 3.00 % of the California workers' compensation premium.

Schedule

Person or Organization

Job Description

ANY PERSON OR ORGANIZATION FOR
WHICH THE INSURED HAS AGREED
BY WRITTEN CONTRACT EXECUTED
PRIOR TO LOSS TO FURNISH THIS
WAIVER.

ENGINEERS

This endorsement changes the policy to which it is attached and is effective on the date issued unless otherwise stated.

(The information below is required only when this endorsement is issued subsequent to preparation of the policy.)

Endorsement Effective
Insured

Policy No. UB4J802198

Endorsement No.
Premium

Insurance Company

Countersigned by _____

DATE OF ISSUE: 05-24-17 ST ASSIGN:

Page 1 of 1

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing an amendment to the 2016 Regional Transportation Improvement Program (RTIP) for National City to increase programming of local TransNet (Prop A) funding for the Highland Avenue Commun

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing an amendment to the 2016 Regional Transportation Improvement Program (RTIP) for National City to increase programming of local *TransNet* (Prop A) funding for the Highland Avenue Community Corridor (NC13) project in the amount of \$170,170 for FY 2017.

PREPARED BY: Stephen Manganiello

PHONE: 619-336-4382

DEPARTMENT: Engineering/Public Works

APPROVED BY:

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

Funds programmed in the following account:
307-409-500-598-6570 (Prop A – Highland Avenue Community Corridor)

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt the Resolution

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation
2. Resolution

Explanation

On November 4, 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (04-01) extension. The *TransNet* Extension Ordinance provides that SANDAG, acting as the Regional Transportation Commission, shall approve a multi-year program of projects submitted by local jurisdictions identifying those transportation projects eligible to use transportation sales tax (*TransNet*) funds.

On April 19, 2016, per Resolution No. 2016-55, City Council adopted the 2016 Regional Transportation Improvement Program (RTIP) for National City projects for fiscal years 2017 through 2021.

As a result of a *TransNet* audit completed for Fiscal Year 2017, the City Finance Department was required to perform an inter-project fund transfer of \$170,170 from the Plaza Boulevard Widening (NC01) project to the Highland Avenue Community Corridors (NC13) project to zero-out a negative balance for the Highland Avenue Community Corridors (NC13) project. Construction for Highland Avenue Community Corridors was completed in February 2016. Construction for Phase I of Plaza Boulevard Widening was completed in June 2017.

Since project programming was increased for NC13, SANDAG Board Policy No. 003 and the *TransNet* Extension Ordinance require City Council authorization of an amendment to the 2016 RTIP.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the installation of 217 feet of No Parking Vehicles Over 6 High signs on the north side of Bay Marina Drive adjacent to WestAir Gases & Equipment, Inc. located at 2300 Haffley Avenue

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of 217 feet of "No Parking Vehicles Over 6' High" signs on the north side of Bay Marina Drive adjacent to "WestAir Gases & Equipment, Inc." located at 2300 Haffley Avenue (TSC No. 2017-32).

PREPARED BY: Luca Zappiello, Civil Engineering Tech

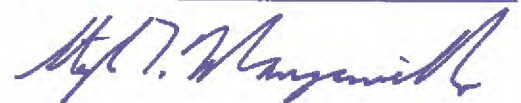
PHONE: 619-336-4360

DEPARTMENT: Engineering/Public Works

APPROVED BY:

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt a Resolution authorizing installation of 217 feet of "No Parking Vehicles Over 6' High" signs on the north side of Bay Marina Drive adjacent to "WestAir Gases & Equipment, Inc."

BOARD / COMMISSION RECOMMENDATION:

At their meeting on December 13, 2017, the Traffic Safety Committee approved staff's recommendation to install 217 feet of "No Parking Vehicles Over 6' High" signs on the north side of Bay Marina Dr adjacent to "WestAir Gases & Equipment, Inc."

ATTACHMENTS:

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on December 13, 2017 (TSC No. 2017-32)
3. Resolution

EXPLANATION

Mr. Samuel Olivarria, Distribution Plant Manager of "WestAir Gases & Equipment, Inc." (WestAir), located at 2300 Haffley Avenue, has requested the installation of no parking signage for oversized vehicles on the north side of Bay Marina Drive in front of their business. Mr. Olivarria stated that semi-trucks park all day long in front of their business and use on-street parking that should be reserved for customers and employees of the businesses nearby.

Staff visited the site and verified that WestAir is located on the northwest corner of Bay Marina Drive and Haffley Avenue. WestAir has a parking lot with fourteen (14) private parking spaces, including one disabled persons parking space that is located in the rear of the building. The business is located in an industrial area and most of the on-street parking spaces available are primarily occupied by employees or customers of the adjacent businesses. It shall be noted that WestAir is located near the National City Marine Terminal which generates a lot of truck traffic.

Staff measured the amount of parking available on the north side of Bay Marina Drive in front of WestAir. In total, there are approximately 217 feet of on-street parallel parking spaces available for ten (10) vehicles.

This item was presented to the Traffic Safety Committee on December 13, 2017. Mr. Olivarria was present and spoke in support of the item.

The Traffic Safety Committee unanimously approved the staff recommendation to install 217 feet of "No Parking Vehicles Over 6' High" signs (R28D) on the north side of Bay Marina Drive adjacent to "WestAir Gases & Equipment, Inc."

If approved by City Council, all work will be performed by City Public Works.

Location Map with Proposed Enhancements (TSC Item: 2017-32)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR DECEMBER 13, 2017**

ITEM NO. 2017-32

ITEM TITLE: **REQUEST TO INSTALL 217 FEET OF PROHIBITED PARKING FOR
OVERSIZED VEHICLES ON THE NORTH SIDE OF BAY MARINA
DRIVE IN FRONT OF "WESTAIR GASES & EQUIPMENT, INC." IN
ORDER TO INCREASE PARKING FOR CUSTOMERS AND
EMPLOYEES OF THE NEARBY BUSINESSES**

PREPARED BY: Luca Zappiello, Civil Engineering Technician
Engineering & Public Works Department

DISCUSSION:

Mr. Samuel Olivarria, Distribution Plan Manager of the business "Westair Gases & Equipment, Inc" (Westair) requested the installation of no parking signage for oversized vehicles on the north side of Bay Marina Drive in front of Westair. Mr. Olivarria stated that semi-trucks park all day long in front of Westair and use on-street parking that should be reserved for customers and employees of the businesses nearby.

Staff visited the site and verified that Westair is located on the north-west corner between Bay Marina Drive and Haffley Avenue. Westair has a parking lot with fourteen (14) private parking spaces, including one disabled parking space that is located in the rear of the building. The business is located in an industrial area and most of the on-street parking spaces available are mostly occupied by employees or customers of the adjacent businesses. However, it should be noted that Westair is located near the National City Marine Terminal where a large number of trucks operate for picking up or delivering containers at the terminal.

Staff measured the amount of parking available on the north side of Bay Marina Drive in front of Westair. In total there are approximately 217 feet of on-street parallel parking spaces available for ten (10) vehicles.

STAFF RECOMMENDATION:

Staff recommends the installation of 217 feet of "No Parking Vehicles Over 6' High" signs (R28D) on the north side of Bay Marina Drive in front of the business "Westair Gases & Equipment, Inc".

EXHIBITS:

1. Public Request;
2. Public Notice;
3. Location Map;
4. Photos;

2017-32



PUBLIC REQUEST FORM

Contact Information

Name: Samuel Olivarria - Distribution Plant Manager of Westair Gases & Equipment, Inc.

Address: _____

Phone: _____ Email: _____

Request Information

Location: 2300 Haffley Avenue, National City

Request: Semi-trucks are taking over our valued parking on the corner of Haffley Ave and Bay Marina Dr.

In addition a private own company hauling or DOLE pineapple is also parking on the streets all day.

National City and WestAir worked diligently to established ample parking for our business neighbors,

customers and military personnel nd I am disenchanted to see that National City does not have a No Truck

Parking signs established to prevent from overnight parking. Many times I find myself knocking on the truck

truck drivers doors to wake them up. I appreciate you help on this matter.

Attachments: ☐ Yes ☐ No Description: _____

Internal Use Only:

Request Received By: Jose Lopez Date: 9/10/2017

Received via: ☐ Counter/In-Person ☐ Telephone ☒ Email ☐ Fax ☐ Referral: _____

Assigned To: Luca Zappiello

Notes: _____



December 6, 2017

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2017-32

REQUEST TO INSTALL 217 FEET OF PROHIBITED PARKING FOR OVERSIZED VEHICLES ON THE NORTH SIDE OF BAY MARINA DRIVE IN FRONT OF "WESTAIR GASES & EQUIPMENT, INC." IN ORDER TO INCREASE PARKING FOR CUSTOMERS AND EMPLOYEES OF THE NEARBY BUSINESSES

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, December 13, 2017, at 1:00 P.M.** in the 2nd Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access on the 2nd Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2017-32.

Sincerely,

Stephen Manganiello
City Engineer

SM:lz

Enclosure: Location Map

2017-32

1234 National City Boulevard, National City, CA 91950-6530
(619) 336-4380 Fax (619) 336-4397 engineering@nationalcityca.gov

Location Map with Proposed Enhancements (TSC Item: 2017-32)





Location of proposed "No Parking vehicles over 6' High" signs on the north side of Bay Marina Dr. (looking north)



Location of proposed "No Parking vehicles over 6' High" signs on the north side of Bay Marina Dr. (looking west)

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the installation of time-restricted “No Parking Street Sweeping” signs on the south side of the 400 block of W. 15th Street (TSC No. 2017-33). (Engineering/Public Works)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of time-restricted "No Parking Street Sweeping" signs on the south side of the 400 block of W. 15th Street (TSC No. 2017-33).

PREPARED BY: Luca Zappiello, Civil Engineering Tech

PHONE: 619-336-4360

DEPARTMENT: Engineering/Public Works

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt a Resolution authorizing installation of time-restricted "No Parking Street Sweeping" signs on the south side of the 400 block of W. 15th Street.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on December 13, 2017, the Traffic Safety Committee approved staff's recommendation to install time-restricted "No Parking Street Sweeping" signs on the south side of the 400 block of W. 15th Street.

ATTACHMENTS:

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on December 13, 2017 (TSC No. 2017-33)
3. Resolution

EXPLANATION

Mr. John Whelan, business owner at 426 W. 15th Street, has requested the installation of time-restricted "No Parking Street Sweeping" signs on the south side of the 400 block of W. 15th Street to improve access for scheduled weekly street sweeping services. This block is occupied by an industrial business and a residential property.

The installation of "No Parking Street Sweeping" signs would improve weekly street sweeping services by allowing the sweeper to clear debris along the curb line. Since the posting of "No Parking Street Sweeping" signs would result in a three-hour parking prohibition one day a week, the applicant was required to circulate a petition to the residential property located on the south-east corner of W. 15th Street and Harding Avenue.

Mr. Whelan submitted the petition to the Engineering & Public Works Department. The petition included Mr. Whelan and the residential property owner's signatures in support of the installation of "No Parking Street Sweeping" signs. Therefore, staff recommends installation of the "No Parking Street Sweeping" signs.

Engineering staff consulted with the Public Works Streets Division and confirmed that street sweeping is scheduled for this area every Wednesday between the hours of 6:00 AM and 9:00 AM, with the exception of City holidays.

This item was presented to the Traffic Safety Committee on December 13, 2017. Mr. John Whelan was present and spoke in support of the item.

The Traffic Safety Committee unanimously approved the staff recommendation to install time-restricted "No Parking Street Sweeping" signs (R30B), "Wednesday, 6:00 AM to 9:00 AM," on the south side of the 400 block of W. 15th Street.

If approved by City Council, all work will be performed by City Public Works.

Location Map with Proposed Enhancements (TSC Item: 2017-33)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR DECEMBER 13, 2017**

ITEM NO. 2017-33

ITEM TITLE: **REQUEST TO INSTALL TIME-RESTRICTED "NO PARKING STREET SWEEPING" SIGNS ON THE SOUTH SIDE OF 400 BLOCK OF W. 15TH STREET**

PREPARED BY: Luca Zappiello, Civil Engineering Technician
Engineering & Public Works Department

DISCUSSION:

Mr. John Whelan, business owner at 426 W. 15th Street, has requested the installation of time-restricted "No Parking Street Sweeping" signs on the south side of 400 block of W. 15th Street to improve access for scheduled weekly street sweeping services. This block is occupied by an industrial business and a residential property.

The installation of "No Parking Street Sweeping" signs would improve weekly street sweeping services by allowing the sweeper to clear debris along the curbline. Since the posting of "No Parking Street Sweeping" signs would result in a three-hour parking prohibition one day a week, the applicant is required to circulate a petition to the residential house located on the south-east corner between W. 15th Street and Harding Avenue. The petition must be signed by at least 60 percent of the business owners in support of the signage.

Mr. Whelan submitted the petition to the Engineering & Public Works Department. The petition included signatures of 100 percent the property owners in support of the installation of "No Parking Street Sweeping" signs, which exceeds the minimum requirement of 60 percent. Therefore, staff recommends installation of the "No Parking Street Sweeping" signs.

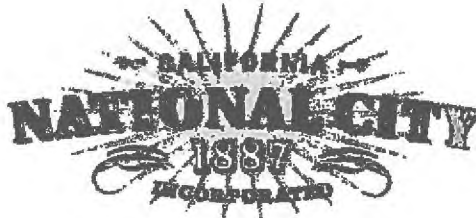
Engineering staff consulted with the Public Works Streets Division and confirmed that street sweeping is scheduled for this area every Wednesday between the hours of 6:00 AM and 9:00 AM, with the exception of City holidays.

STAFF RECOMMENDATION:

Staff recommends the installation of time-restricted "No Parking Street Sweeping" signs (R30B), "Wednesday, 6:00 AM to 9:00 AM," on the south side of 400 block of W. 15th Street.

EXHIBITS:

1. Public Request
2. Petition
3. Public Notice
4. Location Map
5. Photos



2000 PM 2:53 AUG 17

CITY OF NATIONAL CITY

ENG & PM DEPT.

PUBLIC REQUEST FORM

Contact Information

Name:	John Whelan		
Address:	426 W 15 th		
Phone:		Email:	

Request Information

Location:	426 W 15 th		
Request:	put up no parking on certain days so street can be clean its a big mess from trees		
Attachments:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Description:

Internal Use Only:

Request Received By:	Judith H.	Date:	
Received via:	<input checked="" type="checkbox"/> Counter/In-Person	<input checked="" type="checkbox"/> Telephone	<input checked="" type="checkbox"/> Email <input checked="" type="checkbox"/> Fax <input type="checkbox"/> Referral:
Assigned To:	LUCA ZOPPIELLO		
Notes:			

REQUEST FOR "NO PARKING" STREET SWEEPING SIGNS

**PETITION TO REQUEST "NO PARKING" STREET SWEEPING SIGNS ON
THE SOUTH SIDE OF W. 15TH STREET BETWEEN WILSON AVENUE AND
HARDING AVENUE.**

NAME (PRINT)	SIGNATURE	DATE	STREET ADDRESS
John Whelan		9/25/17	426 W 15th
Marcie Cesnik		10/06/17	1509 1/2 Harding Ave.

ENG & PW DEPT.

CITY OF NATIONAL CITY

RCUD PM 3:11 OCT 9/17



December 6, 2017

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2017-33

REQUEST TO INSTALL TIME-RESTRICTED "NO PARKING STREET SWEEPING" SIGNS ON THE SOUTH SIDE OF 400 BLOCK OF W. 15TH STREET.

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, December 13, 2017, at 1:00 P.M.** in the 2nd Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access on the 2nd Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2017-33.

Sincerely,

Stephen Manganiello
City Engineer

SM:iz

Enclosure: Location Map

2017-33

1234 National City Boulevard, National City, CA 91950-6530
(619) 336-4380 Fax (619) 336-4397 engineering@nationalcityca.gov

Location Map with Proposed Enhancements (TSC Item: 2017-33)





Location of proposed Time-Restricted "No Parking-Street Sweeping" signs on south side of W. 15th St. (looking west)



Location of proposed Time-Restricted "No Parking-Street Sweeping" signs on south side of W. 15th St. (looking east)

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” at the intersection of E. 16th Street and “N” Avenue to enhance visibility at the intersection (TSC No. 2017-34). (Engineering/Public Works)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. 16th Street and "N" Avenue to enhance visibility at the intersection (TSC No. 2017-34).

PREPARED BY: Luca Zappiello, Civil Engineering Tech

PHONE: 619-336-4360

DEPARTMENT: Engineering/Public Works

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt a Resolution authorizing installation of red curb "No Parking" the intersection of E. 16th Street and "N" Avenue to enhance visibility at the intersection.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on December 13, 2017, the Traffic Safety Committee approved staff's recommendation to install red curb "No Parking" the intersection of E. 16th Street and "N" Avenue to enhance visibility at the intersection.

ATTACHMENTS:

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on December 13, 2017 (TSC No. 2017-34)
3. Resolution

EXPLANATION

An area resident has requested red curb "No Parking" at the intersection of E. 16th Street and "N" Avenue to enhance visibility and safety for vehicles exiting from "N" Avenue onto E. 16th Street.

Staff performed a site evaluation. E. 16th Street and "N" Avenue are 2-lane roadways with parallel parking on both sides of the streets. The intersection is currently stop controlled for southbound and northbound traffic on "N" Avenue. The posted speed limit on E. 16th Street is 35 mph. Staff confirmed that there is no red curb on E. 16th Street at the intersection. Staff confirmed that when vehicles on E. 16th Street park too close to the corners of the intersection, visibility for vehicles exiting "N" Avenue onto E. 16th Street is partially obstructed.

Staff also reviewed the traffic collision history for this location, which confirmed there was one "reported" traffic collision within the past four years.

This item was presented to the Traffic Safety Committee on December 13, 2017. A public notice was mailed out to area residents. There were no members of the community present to speak on the item.

Based on the staff report, the Traffic Safety Committee approved staff's recommendation for the following traffic safety enhancements:

1. Install 20 feet of red curb "No Parking" on the north side of E. 16th Street, west of "N" Avenue. This will result in the loss of one (1) on-street parking space;
2. Install 30 feet of red curb "No Parking" on the north side of E. 16th Street, east of "N" Avenue. This will result in the loss of one (1) on-street parking space;
3. Install 20 feet of red curb "No Parking" on the south side of E. 16th Street, west of "N" Avenue. This will result in the loss of one (1) on-street parking space;
4. Install 40 feet of red curb "No Parking" on the south side of E. 16th Street, east of "N" Avenue. This will result in the loss of two (2) on-street parking spaces.

If approved by City Council, all work will be performed by City Public Works.

Location Map with Proposed Enhancements (TSC Item: 2017-34)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR DECEMBER 13, 2017**

ITEM NO. 2017-34

ITEM TITLE: **REQUEST FOR A RED CURB "NO PARKING" BETWEEN E. 16TH STREET AND "N" AVENUE TO IMPROVE VISIBILITY AT THE INTERSECTION**

PREPARED BY: Luca Zappiello, Civil Engineering Technician
Engineering & Public Works Department

DISCUSSION:

An area resident, has requested red curb "No Parking" at the intersection between E. 16th Street and "N" Avenue to improve visibility and enhance safety for the vehicles exiting from "N" Avenue onto E. 16th Street.

Staff performed a site evaluation. E. 16th Street and "N" Avenue are currently 2-lanes wide and both streets have available parking on both sides of the street. The intersection between the two streets is currently stop controlled for southbound and northbound traffic on "N" Avenue. The posted speed limit on E. 16th Street is 35 mph. Staff confirmed that there is not red curb on E. 16th Street at the intersection. Staff confirmed that when vehicles park too close to the corners on E. 16th Street at the intersection, the visibility for the vehicles that are exiting "N" Avenue onto E. 16th Street is obstructed.

Staff also reviewed the traffic collision history for this location, which confirmed there was one "reported" traffic collision within the past four years.

STAFF RECOMMENDATION:

Based on evaluation of existing conditions, staff recommends installation of red curb "No Parking" at the intersection between E. 16th Street and "N" Avenue to improve visibility for vehicles exiting "N" Avenue as follows:

1. Install 20 feet of red curb "No Parking" on the north side of E. 16th Street, west of "N" Avenue. This will result in the loss of one (1) on-street parking space;
2. Install 30 feet of red curb "No Parking" on the north side of E. 16th Street, east of "N" Avenue. This will result in the loss of one (1) on-street parking space;
3. Install 20 feet of red curb "No Parking" on the south side of E. 16th Street, west of "N" Avenue. This will result in the loss of one (1) on-street parking space;
4. Install 40 feet of red curb "No Parking" on the south side of E. 16th Street, east of "N" Avenue. This will result in the loss of two (2) on-street parking spaces.

EXHIBITS:

1. Public Request
2. Public Notice
3. Location Map
4. Photos

2017-34



PUBLIC REQUEST FORM

Contact Information

Name: Anonymous

Address: _____

Phone: _____

Email: _____

Request Information

Location: Intersection between E. 16th Street and N Avenue

Request: installation of the red curb "No Parking" to improve visibility and enhance safety for the vehicles exiting form "N" Avenue onto E. 16th Street.

Attachments: ☐ Yes ☐ No Description: _____

Internal Use Only:

Request Received By: Jose Lopez Date: 16/10/2017

Received via: ☐ Counter/In-Person ☒ Telephone ☒ Email ☐ Fax ☐ Referral: _____

Assigned To: Luca Zappiello

Notes: _____



December 6, 2017

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2017-34

**REQUEST FOR A RED CURB "NO PARKING" BETWEEN E. 16TH STREET AND
"N" AVENUE TO IMPROVE VISIBILITY AT THE INTERSECTION.**

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, December 13, 2017, at 1:00 P.M.** in the 2nd Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access on the 2nd Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2017-34.

Sincerely,

Stephen Manganiello
City Engineer

SM:lz

Enclosure: Location Map

2017-34

1234 National City Boulevard, National City, CA 91950-6530
(619) 336-4380 Fax (619) 336-4397 engineering@nationalcityca.gov

Location Map with Proposed Enhancements (TSC Item: 2017-34)





Location of proposed red curb "No Parking" on the north side of E. 16th St, west of "N" Ave (looking west)



Location of proposed red curb "No Parking" on the north side of E. 16th St, east of "N" Ave (looking east)



Location of proposed red curb "No Parking" on the south side of E. 16th St, west of "N" Ave (looking west)



Location of proposed red curb "No Parking" on the south side of E. 16th St, east of "N" Ave (looking east)

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” at the intersection of E. 16th Street and Grove Street to enhance visibility at the intersection (TSC No. 2017-35). (Engineering/Public Works

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" at the intersection of E. 16th Street and Grove Street to enhance visibility at the intersection (TSC No. 2017-35).

PREPARED BY: Luca Zappiello, Civil Engineering Tech

PHONE: 619-336-4360

DEPARTMENT: Engineering/Public Works

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt a Resolution authorizing installation of red curb "No Parking" at the intersection of E. 16th Street and Grove Street to enhance visibility at the intersection.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on December 13, 2017, the Traffic Safety Committee approved staff's recommendation to install red curb "No Parking" at the intersection of E. 16th Street and Grove Street to enhance visibility at the intersection.

ATTACHMENTS:

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on December 13, 2017 (TSC No. 2017-35)
3. Resolution

EXPLANATION

Ms. Jeannette Bochniak has requested red curb "No Parking" at the intersection of E. 16th Street and Grove Street to enhance visibility and safety at the intersection. Ms. Bochniak stated that it is difficult to see oncoming traffic for vehicles exiting from Grove Street onto E. 16th Street due to trucks, vans and SUVs parked too close to the intersection. Ms. Bochniak stated that installing red curb "No Parking" at the intersection would help to enhance safety and visibility.

Staff performed a site evaluation. E. 16th Street and Grove Street are currently 2-lane roadways with parallel parking on both sides of the streets. The intersection is currently stop controlled for southbound and northbound traffic on Grove Street. The posted speed limit on E. 16th Street is 35 mph. Last year, the City completed a capital improvement project at this intersection which included construction of traffic calming bulbouts and a new crosswalk with high intensity striping and flashing pedestrian crossing signs for the east leg of the intersection.

Staff also reviewed the traffic collision history for this location, which confirmed there were three "reported" traffic collisions within the past four years.

Based on staff's site evaluation and review of traffic collision history, staff recommends installation of red curb "No Parking" on E. 16th Street at the intersection to enhance visibility for drivers exiting Grove Street.

This item was presented to the Traffic Safety Committee on December 13, 2017. Public notices were sent to area residents. One area resident was present and spoke in support of the item.

The Traffic Safety Committee unanimously approved staff's recommendation for the following traffic safety enhancements:

1. Install 20 feet of red curb "No Parking" on the north side of E. 16th Street, east of Grove Street. This will result in the loss of one (1) on-street parking space;
2. Install 39 feet of red curb "No Parking" on the south side of E. 16th Street, west of Grove Street. This will result in the loss of one (1) on-street parking space.

If approved by City Council, all work will be performed by City Public Works.

Location Map with Proposed Enhancements (TSC Item: 2017-35)



NATIONAL CITY TRAFFIC SAFETY COMMITTEE AGENDA REPORT FOR DECEMBER 13, 2017

ITEM NO. 2017-35

ITEM TITLE: REQUEST FOR A RED CURB "NO PARKING" BETWEEN E. 16TH STREET AND GROVE STREET TO IMPROVE VISIBILITY AT THE INTERSECTION

PREPARED BY: Luca Zappiello, Civil Engineering Technician
Engineering & Public Works Department

DISCUSSION:

Ms. Jeannette Bochnik have requested red curb "No Parking" at the intersection between E. 16th Street and Grove Street to improve visibility at the intersection. Ms. Bochnik is stated that it is difficult to see oncoming traffic for vehicles exiting from Grove Street onto E. 16th Street due to trucks, vans and SUVs parked too close to the intersection. Furthermore, Ms. Bochnik stated that installing a red curb "No Parking" at the intersection would help to improve safety and enhance visibility.

Staff performed a site evaluation. E. 16th Street and Grove Street are currently 2-lanes wide and both streets have available parking on both sides of the street. The intersection between the two streets is currently stop controlled for southbound and northbound traffic on Grove Street. The posted speed limit on E. 16th Street is 35 mph. In the last year, a public improvement project was completed at the above-mentioned intersection that created a new crosswalk extension. However, staff confirmed that visibility is most critical for drivers looking left as they approach the intersection and the installation of a red curb "No Parking" will help to improve safety and visibility at the intersection.

Staff also reviewed the traffic collision history for this location, which confirmed there was three "reported" traffic collisions within the past four years.

STAFF RECOMMENDATION:

Based on evaluation of existing conditions, staff recommends installation of red curb "No Parking" at the intersection between E. 16th Street and Grove Street to improve visibility for vehicles exiting Grove Street as follows:

1. Install 20 feet of red curb "No Parking" on the north side of E. 16th Street, east of Grove Street. This will result in the loss of one (1) on-street parking space;
2. Install 38 feet of red curb "No Parking" on the south side of E. 16th Street, west of Grove Street. This will result in the loss of one (1) on-street parking space.

EXHIBITS:

1. Public Request
2. Public Notice
3. Location Map
4. Photos



2000 APR 130 SEP 7 17

CITY OF NATIONAL CITY

ENG & PW DEPT.

PUBLIC REQUEST FORM

Contact Information

Name:	JEANNETTE BOCHNIAK		
Address:	/		
Phone:	16	Email:	/

Request Information

Location:	16th & GROVE - West		
Request:	SHORTEN PARKING LINE UNABLE to see cars coming down Hill from 16th & Prospect - Red CURB 4 way Stop SAFETY ISSUE		
Attachments:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Description:	

Internal Use Only:

Request Received By:	LUCA ZOPPIELLO	Date:	
Received via:	<input type="checkbox"/> Counter/In-Person <input type="checkbox"/> Telephone <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Referral:		
Assigned To:	LUCA ZOPPIELLO		
Notes:			



December 6, 2017

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2017-35

REQUEST FOR A RED CURB "NO PARKING" BETWEEN E. 16TH STREET AND GROVE STREET TO IMPROVE VISIBILITY AT THE INTERSECTION.

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, December 13, 2017, at 1:00 P.M.** in the 2nd Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access on the 2nd Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2017-35.

Sincerely,

Stephen Manganiello
City Engineer

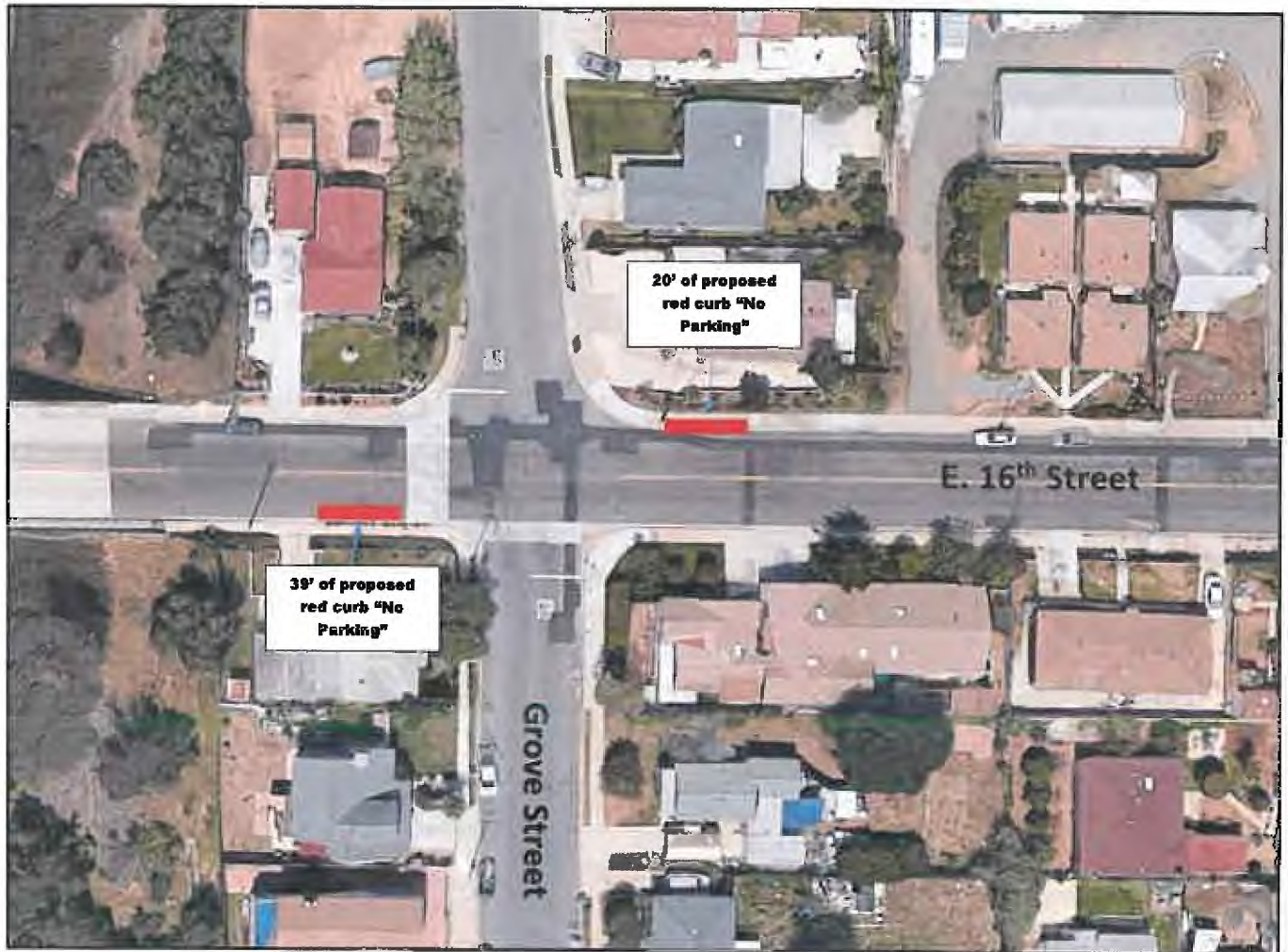
SM:lz

Enclosure: Location Map

2017-35

1234 National City Boulevard, National City, CA 91950-6530
(619) 336-4380 Fax (619) 336-4397 engineering@nationalcityca.gov

Location Map with Proposed Enhancements (TSC Item: 2017-35)





Location of proposed red curb "No Parking" on the north side of E 16th St, east of Grove St (looking east)



Location of proposed red curb "No Parking" on the north side of E 16th St, east of Grove St (looking east)



Location of proposed red curb "No Parking" on the south side of E 16th St, west of Grove St (looking west)



Location of proposed red curb "No Parking" on the south side of E 16th St, west of Grove St (looking west)

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the installation of red curb “No Parking” on the north side of the 2400, 2500 and 2600 blocks of Sweetwater Road to enhance visibility for vehicles exiting Cypress Street and nearby d

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of red curb "No Parking" on the north side of the 2400, 2500 and 2600 blocks of Sweetwater Road to enhance visibility for vehicles exiting Cypress Street and nearby driveways (TSC No. 2017-36).

PREPARED BY: Luca Zappiello, Civil Engineering Tech

PHONE: 619-336-4360

DEPARTMENT: Engineering/Public Works

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt a Resolution authorizing installation of red curb "No Parking" on the north side of the 2400, 2500 and 2600 blocks of Sweetwater Road to enhance visibility for vehicles exiting Cypress Street and nearby driveways.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on December 13, 2017, the Traffic Safety Committee approved staff's recommendation to install red curb "No Parking" on the north side of the 2400, 2500 and 2600 blocks of Sweetwater Road.

ATTACHMENTS:

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on December 13, 2017 (TSC No. 2017-36)
3. Resolution

EXPLANATION

Mr. Salvador Ferrera, area resident, has requested red curb "No Parking" on the north side of Sweetwater Road at the intersection with Cypress Street to enhance visibility and safety for vehicles exiting Cypress Street onto Sweetwater Road. Mr. Ferrera stated that it is difficult to exit Cypress Street onto Sweetwater Road when vehicles park at the corners. Furthermore, he believes the red curb "No Parking" is warranted since Sweetwater Road has heavy traffic and higher speeds.

Staff performed a site evaluation. Sweetwater Road is currently 5-lanes wide and has available parallel parking on the north side of the street. Cypress Street is currently 2-lanes wide with parallel parking on both sides of the street. The intersection is currently stop controlled for southbound traffic on Cypress Street. The posted speed limit on Sweetwater Road is 40 mph. Staff also reviewed the traffic collision history for this location, which confirmed there were two "reported" traffic collisions within the past four years.

Based on the site evaluation and review of traffic collision history, staff recommends installation of red curb "No Parking" on the north side of Sweetwater Road at the intersection with Cypress Street to enhance visibility and safety for vehicles exiting Cypress Street onto Sweetwater Road. Staff also recommends installation of red curb "No Parking" east of the driveway for "N City Sports Lounge" (2511 Sweetwater Road) and east of the driveway for the residences at 2525 and 2603 Sweetwater Road in order to enhance visibility for vehicles turning onto Sweetwater Road (see attached exhibit).

This item was presented to the Traffic Safety Committee on December 13, 2017. Mr. Marcus Penn, property manager of "N City Sports Lounge" located at 2511 Sweetwater Road and Mr. Jack Kuta, owner's representative, were in attendance and spoke on the item. The parties agreed that the proposed red curb "No Parking" would enhance visibility and safety for vehicles turning onto Sweetwater Road. However, they were opposed to the total amount of red curb "No Parking" originally recommended by City staff since it would reduce the number of parking spaces available for their customers. Mr. Penn and Mr. Kuta suggested that this would negatively impact their business.

Staff indicated that if Mr. Penn and Mr. Kuta would support installation of a "Right Turn Only" sign for vehicles exiting the driveway for "N City Sports Lounge," three parking spaces could remain to the west of the driveway, since drivers would only need clear line of site to the east to make a right turn only. Mr. Penn and Mr. Kuta agreed to the "Right Turn Only" sign, which was installed on January 11, 2018.

The Traffic Safety Committee voted to support staff's recommendation for the following traffic safety enhancements, with the understanding that a "Right Turn Only" sign would be installed for vehicles exiting the driveway for "N City Sports Lounge" in January 2018.

1. Install 40 feet of red curb "No Parking" on the north side of Sweetwater Road, west of Cypress Street. This will result in the loss of two (2) on-street parking spaces;

2. Install 50 feet of red curb "No Parking" on the north side of Sweetwater Road, east of Cypress Street. This will result in the loss of two (2) on-street parking spaces;
3. Install 43 feet of red curb "No Parking" on the north side of Sweetwater Road, east of the exiting driveway for "N City Sports Lounge" (2511 Sweetwater Road). This will result in the loss of two (2) on-street parking spaces;
4. Install 40 feet of red curb "No Parking" on the north side of Sweetwater Road, east of the driveway for the residences at 2525 and 2603 Sweetwater Road. This will result in the loss of two (2) on-street parking spaces.

If approved by City Council, all work will be performed by City Public Works.

Location Map with Proposed Enhancements (TSC Item: 2017-36)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR DECEMBER 13, 2017**

ITEM NO. 2017-36

ITEM TITLE: **REQUEST FOR A RED CURB "NO PARKING" ON THE NORTH SIDE OF 2400, 2500 AND 2600 BLOCKS OF SWEETWATER ROAD TO IMPROVE VISIBILITY AT THE INTERSECTIONS**

PREPARED BY: Luca Zappiello, Civil Engineering Technician
Engineering & Public Works Department

DISCUSSION:

Mr. Salvador Ferrera, has requested red curb "No Parking" on the north side of Sweetwater Road, east and west sides of Cypress Street to improve visibility at the intersection. Mr. Ferrera stated that installing red curb at the above-mentioned location will improve the visibility and safety for vehicles exiting Cypress Street onto Sweetwater Road since on the Sweetwater Road has a high traffic frequency and high speed limit.

Staff performed a site evaluation. Sweetwater Road is currently 5-lanes wide and has available parking on the north sides of the street. However, Cypress Street is currently 2-lanes wide and provides parking on both sides of the street. The intersection between the two streets is currently stop controlled for southbound traffic on Cypress Street. The posted speed limit on Sweetwater Road is 40 mph.

Staff confirmed that the installation of red curb "No Parking" on the west and east sides of Cypress Street would enhance safety and visibility at the intersection. Staff also recommends installation of red curb "No Parking" east and west of the driveway for the businesses "N City Sports Lounge", "Mr. Tacos" and a private street for the residences at 2525 and 2603 Sweetwater Road (please see the location map) in order to improve visibility for vehicles that are driving onto Sweetwater Road.

Staff also reviewed the traffic collision history for this location, which confirmed there was two "reported" traffic collisions within the past four years.

STAFF RECOMMENDATION:

Based on evaluation of existing conditions, staff recommends the following enhancements in order to improve safety and visibility at the above-mentioned locations:

1. Install 40 feet of red curb "No Parking" on the north side of Sweetwater Road, west of Cypress Street. This will result in the loss of two (2) on-street parking spaces;
2. Install 116 feet of red curb "No Parking" on the north side of Sweetwater Road, east of Cypress Street. This will result in the loss of five (5) on-street parking spaces;
3. Install 43 feet of red curb "No Parking" on the north side of Sweetwater Road, east of the exiting driveway for the businesses "N City Sports Lounge" and "Mr. Tacos". This will result in the loss of two (2) on-street parking spaces;

4. Install 40 feet of red curb "No Parking" on the north side of Sweetwater Road, east of the exiting private street located between the residences at 2525 and 2605 Sweetwater Road. This will result in the loss of two (2) on-street parking spaces;

EXHIBITS:

1. Public Request
2. Public Notice
3. Location Map
4. Photos

2017-36



PUBLIC REQUEST FORM

Contact Information

Name: Salvador Ferrera

Address: _____

Phone: _____ Email: _____

Request Information

Location: Intersection between Sweetwater Road and Cypress St.

Request: The resident is requesting the installation of the red curb "No Parking" to improve visibility and enhance safety for the vehicles exiting form Cypress Street onto Sweetwater Road.

Attachments: ☐ Yes ☐ No Description: _____

Internal Use Only:

Request Received By: Luca Zappiello Date: 10/23/2017

Received via: ☒ Counter/In-Person ☐ Telephone ☒ Email ☐ Fax ☐ Referral: _____

Assigned To: Luca Zappiello

Notes: _____



December 6, 2017

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2017-36

REQUEST FOR A RED CURB "NO PARKING" ON THE NORTH SIDE OF SWEETWATER ROAD, EAST AND WEST SIDE OF CYPRESS STREET TO IMPROVE VISIBILITY AT THE INTERSECTION.

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, December 13, 2017, at 1:00 P.M.** in the 2nd Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access on the 2nd Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2017-36.

Sincerely,

Stephen Manganiello
City Engineer

SM:lz

Enclosure: Location Map

2017-36

1234 National City Boulevard, National City, CA 91950-6530
(619) 336-4380 Fax (619) 336-4397 engineering@nationalcityca.gov

Location Map with Proposed Enhancements (TSC Item: 2017-36)





Location of proposed red curb "No Parking" on the north side of Sweetwater Rd, west of Cypress St (looking west)



Location of proposed red curb "No Parking" on the north side of Sweetwater Rd, east of Cypress St (looking east)



Location of proposed red curb on the north side of Sweetwater Rd, west of the exiting driveway (looking west)



Location of proposed red curb on the north side of Sweetwater Rd, east of the exiting driveway (looking east)



Location of proposed red curb on the north side of Sweetwater Rd, west of exiting private street (looking west)



Location of proposed red curb on the north side of Sweetwater Rd, east of the exiting private street (looking east)

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the installation of a blue curb disabled persons parking space with sign in front of the residence located at 1330 Harding Avenue (TSC No. 2017-37). (Engineering/Public Works)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the installation of a blue curb disabled persons parking space with sign in front of the residence located at 1330 Harding Avenue (TSC No. 2017-37).

PREPARED BY: Luca Zappiello, Civil Engineering Tech

PHONE: 619-336-4360

DEPARTMENT: Engineering/Public Works

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt Resolution for the installation of a blue curb disabled persons parking space with sign in front of the residence located at 1330 Harding Avenue.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on December 13, 2017, the Traffic Safety Committee approved staff's recommendation to install a blue curb disabled persons parking space with sign in front of the residence located at 1330 Harding Avenue.

ATTACHMENTS:

1. Explanation w/ Exhibit
2. Staff Report to the Traffic Safety Committee on December 13, 2017 (TSC No. 2017-37)
3. Resolution

EXPLANATION

Mr. Antonio Flores, resident of 1330 Harding Avenue, has requested a blue curb disabled persons parking space in front of his residence. The resident possesses a valid disabled person placard from the California Department of Motor Vehicles. Mr. Flores' daughter, Ms. Cecilia Flores, stated that there are two disabled people living in the residence. Ms. Flores also stated that it is difficult to access the residence from the driveway located behind the house, because there is a manual gate and stairs that they must climb to enter the house. Furthermore, Ms. Flores indicated that there are multifamily residents on the south side of Harding Avenue that use the on-street parking in front of Mr. Flores residence making it difficult for them to find parking in front of the house.

Staff visited the site and confirmed that Mr. Flores has a driveway and a garage located behind his house. Staff confirmed that the garage is not large enough to accommodate a vehicle with disabled driver or passenger. Staff measured the driveway and determined that the driveway has a manual gate which is approximately 11 feet wide. In addition, the driveway is 37 feet long by 27 feet wide and the slope of the driveway is negligible. Based on these measurements, the driveway can accommodate a vehicle with a disabled driver or passenger.

The City Council has adopted a policy which is used to evaluate requests for disabled persons parking spaces. The City Council Disabled Persons Parking Policy requirements for "Special Hardship" cases are as follows:

1. Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". *This condition is met.*
2. The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. *This condition is met.*
3. The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. *This condition is met (see explanation below).*

This item was presented to the Traffic Safety Committee (TSC) on December 13, 2017. Mr. Antonio Flores and his daughter Ms. Cecilia Flores were in attendance and spoke in support of the blue curb disabled persons parking space. Staff's initial recommendation was to deny the request, since Mr. Flores has a driveway that can accommodate a vehicle with a disabled driver or passenger. However, Ms. Flores stated that since the family is in financial hardship, she is not able to install an electric gate and an access ramp to enter the house. Furthermore, Ms. Flores stated that a blue curb disabled persons parking space would allow Mr. Flores to park in front of his house, providing him easier and safer access into the residence.

Based on the testimony of the applicants, staff has determined that it would be a financial hardship for the applicants to install an electric gate and design, obtain permits and construct an access ramp from their driveway into their house. Therefore, staff's

final recommendation is to support the applicant's request for installation of a blue curb disabled persons parking space in front of their home.

The Traffic Safety Committee voted unanimously to approve the installation of a blue curb disabled persons parking space with sign in front of the residence at 1330 Harding Avenue.

The applicant was informed that handicap parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates or placards may park in handicap spaces.

If approved by City Council, all work will be performed by City Public Works.

Location Map with Recommended Enhancements (TSC Item: 2017-37)



**NATIONAL CITY TRAFFIC SAFETY COMMITTEE
AGENDA REPORT FOR DECEMBER 13, 2017**

ITEM NO. 2017-37

ITEM TITLE: **REQUEST FOR INSTALLATION OF A BLUE CURB DISABLED PERSONS PARKING SPACE WITH SIGNAGE IN FRONT OF THE RESIDENCE LOCATED AT 1330 HARDING AVENUE**

PREPARED BY: Luca Zappiello, Civil Engineering Technician
Engineering & Public Works Department

DISCUSSION:

Mr. Antonio Flores, resident of 1330 Harding Avenue, has requested a blue curb disabled persons parking space in front of his residence. The resident possesses a valid disabled person placard from the California Department of Motor Vehicles. Mr. Flores' daughter, Ms. Cecilia Flores, stated that there are two disabled people living in the residence and it is difficult for them to access their house from the driveway which is located behind the residence because there is a manual gate and they have to climb stairs to enter the house. Furthermore, Ms. Flores stated that there are some apartments across of the street that use all of the parking in front of their house and this makes it difficult for them to park the car.

Staff visited the site and confirmed that Mr. Flores has a driveway and a garage located behind Mr. Flores' house. Staff confirmed that the garage is not large enough to accommodate a vehicle with disabled driver or passenger. Staff measured the driveway and determined that the driveway has a manual gate which is approximately 11 feet wide. In addition, the driveway is 37 feet long by 27 feet wide and the slope of the driveway is negligible. Based on these measurements, the driveway can accommodate a vehicle with a disabled driver or passenger.

The City Council has adopted a policy which is used to evaluate requests for disabled persons parking spaces. The City Council Disabled Persons Parking Policy requirements for "Special Hardship" cases are as follows:

1. Applicant (or guardian) must be in possession of valid license plates or placard for "disabled persons" or "disabled veterans". *This condition is met.*
2. The proposed disabled parking space must be in front (or side if on a corner lot) of the applicant's (or guardian's) place of residence. *This condition is met.*
3. The residence must not have useable off-street parking available or an off-street space available that may be converted into disabled parking. *This condition is not met, since the applicant has a driveway that can accommodate a vehicle with a disabled driver or passenger.*

STAFF RECOMMENDATION:

Since only two of the three conditions of the City Council Disabled Persons Parking Policy for "Special Hardship" cases are met, staff does not recommend installation of a blue curb disabled persons parking space with signage in front of the residence located at 1330 Harding Avenue.

EXHIBITS:

1. Public Request Form
2. Location Map
3. Photos
4. City Council Disabled Persons Parking Policy

2017-37

REQUEST FOR BLUE CURB DISABLED PERSONS PARKING SPACE

NAME OF DISABLED PERSON: Antonio Flores @ Nicobasa
NAME OF REPRESENTATIVE FOR DISABLED PERSON (If different from above): Flores

ADDRESS: 15

EMAIL: 1

PHONE NUMBER: 1

Please answer the following questions, which will assist Engineering staff, the Traffic Safety Committee, and your City Council in determining if you are qualified to have a blue curb disabled persons parking space placed in front of your residence. Please be informed that all blue curb parking spaces are considered public parking. Therefore, any registered vehicle in possession of a disabled persons placard or license plate is legally allowed to park in the blue curb space for up to 72 continuous hours.

- 1) Do you possess a valid disabled person's placard issued by the California Department of Motor Vehicles (DMV)? ☒ YES ☐ NO

If YES, please include a copy of the placard, which contains your name, address, placard number, and expiration date.

- 2) Does your residence have a garage? ☒ YES ☐ NO

If YES, is the garage large enough to park a vehicle (minimum of 20' x 12') ☐ YES ☒ NO

- 3) Does your residence have a driveway? ☐ YES ☒ NO

If YES, a) Is the driveway large enough to park a vehicle? ☒ YES ☐ NO
(minimum of 20' x 12')

b) Is the driveway level? ☒ YES ☐ NO

c) Is the driveway sloped/inclined? ☐ YES ☒ NO

- 4) Please write any additional comments here (optional).

The garage is through an Alley behind the house and there is a slope not street level.
In this house two disabled people live here. Antonio who's
@ Max mother

CUSTOMER RECEIPT COPY

EXPIRES: 06/30/2019

*** DISABLED PERSON PLACARD ***

PLACARD NUMBER:

PIC: 1

TV: 92

DATE ISSUED:

MO/YR: YY

FLORES ANTONIO
1330 HARDING AVE

DT FEES RECVD:

NATIONAL CITY
CA

91950

CO: 37

AMT DUE : NONE
AMT RECVD CASH :
CHCK :
CRDT :

DEPARTMENT OF MOTOR VEHICLES PLACARD IDENTIFICATION CARD

THIS IDENTIFICATION CARD OR FACSIMILE COPY IS TO BE CARRIED BY THE PLACARD OWNER. PRESENT IT TO ANY PEACE OFFICER UPON DEMAND. IMMEDIATELY NOTIFY DMV BY PHONE OR MAIL OF ANY CHANGE OF ADDRESS. WHEN PARKING, HANG THE PLACARD FROM THE REAR VIEW MIRROR. REMOVE IT WHEN DRIVING.

PLACARD #: [REDACTED]
EXPIRES: 06/30/2019
DOB: [REDACTED]
ISSUED: [REDACTED]
TYPE: H1

PLACARD HOLDER: FLORES ANTONIO
1330 HARDING AVE

NATIONAL CITY
CA 91950

PURCHASE OF FUEL (BUSINESS & PROFESSIONS CODE 13660):
STATE LAW REQUIRES SERVICE STATIONS TO REFUEL A DISABLED PERSON'S VEHICLE AT SELF-SERVICE RATES, EXCEPT SELF-SERVICE FACILITIES WITH ONLY ONE CASHIER.

WHEN YOUR PLACARD IS PROPERLY DISPLAYED, YOU MAY PARK IN/ON:
*DISABLED PERSON PARKING SPACES (BLUE ZONES) *STREET METERED ZONES WITHOUT PAYING *GREEN ZONES WITHOUT RESTRICTIONS TO TIME LIMITS *STREET WHERE PREFERENTIAL PARKING PRIVILEGES ARE GIVEN TO RESIDENTS AND MERCHANTS.

YOU MAY NOT PARK IN/ON: *RED ZONES *TOW AWAY ZONES *WHITE OR YELLOW ZONES *SPACES MARKED BY CROSSHATCH LINES NEXT TO DISABLED PERSON PARKING SPACES.

IT IS CONSIDERED MISUSE: *TO DISPLAY A PLACARD UNLESS THE DISABLED OWNER IS BEING TRANSPORTED *TO DISPLAY A PLACARD WHICH HAS BEEN CANCELLED OR REVOKED *TO LOAN YOUR PLACARD TO ANYONE, INCLUDING FAMILY MEMBERS. MISUSE IS A MISDEMEANOR (SECTION 4461VC) AND CAN RESULT IN CANCELLATION OR REVOCATION OF THE PLACARD. LOSS OF PARKING PRIVILEGES. AND/OR FINES.

REMOVE FROM MIRROR BEFORE DRIVING VEHICLE

CALIFORNIA



WARNING: The illegal use of a disabled parking placard could result in a maximum fine of \$4,200.

DISABLED PERSON



PARKING PLACARD

EXPIRES JUNE 30

2019

PURCHASE OF FUEL (Business & Professions Code 18660)
State law requires service stations to refuel a disabled person's vehicle at self-service rates, except at service facilities with only one employee on duty.



December 6, 2017

Resident/Property Owner

Subject: TRAFFIC SAFETY COMMITTEE (TSC) ITEM NO. 2017-37

**REQUEST FOR INSTALLATION OF A BLUE CURB DISABLED PERSONS
PARKING SPACE WITH SIGN IN FRONT OF THE RESIDENCE AT 1330
HARDING AVENUE**

Dear Sir/Madame:

The City of National City would like to invite you to our next public Traffic Safety Committee Meeting scheduled for **Wednesday, December 13, 2017, at 1:00 P.M.** in the 2nd Floor Large Conference Room of the Civic Center Building, 1243 National City Boulevard, to discuss the above-referenced item.

The City Hall is ADA compliance. Please note that there are two disabled persons parking spaces in front of City Hall on the east side of National City that provide direct access on the 2nd Floor of City Hall via a pedestrian bridge.

If you have any questions, comments, and/or concerns, please contact the Engineering Department at 619-336-4380 and reference Traffic Safety Committee Item Number 2017-37.

Sincerely,

Stephen Manganiello
City Engineer

SM:lz

Enclosure: Location Map

2017-37

1234 National City Boulevard, National City, CA 91950-6530
(619) 336-4380 Fax (619) 336-4397 engineering@nationalcityca.gov

Location Map with Recommended Enhancements (TSC Item: 2017-37)





Location of proposed blue curb disabled persons parking space in front of 1330 Harding Avenue (looking west)



Back entrance gate of residence of 1330 Harding Avenue (looking north)



Driveway to back of residence at 1330 Harding Avenue (looking west)

DISABLED PERSONS PARKING POLICY

The purpose of a disabled persons parking zone is to provide designated parking spaces at major points of assembly for the exclusive use of physically disabled persons whose vehicle displays a distinguishing license plate as authorized by the California Department of Motor Vehicles.

The City Council may upon recommendation of the City Engineer, designate specially marked and posted on-street parking spaces for disabled persons pursuant to California Vehicle Code 21101, et seq. at the following facilities:

1. Government buildings serving the public such as administration buildings, public employment offices, public libraries, police stations, etc.
2. Hospitals and convalescent homes with more than 75-bed capacity.
3. Medical facilities and doctors' offices staffed by a maximum of five practitioners. Zones shall be located to serve a maximum number of facilities on one block.
4. Community service facilities such as senior citizens service centers, etc.
5. Accredited vocational training and educational facilities where no off-street parking is provided for disabled persons.
6. Employment offices for major enterprises employing more than 200 persons.
7. Public recreational facilities including municipal swimming pools, recreation halls, museums, etc.
8. Public theaters, auditoriums, meeting halls, arenas, stadiums with more than 300 seating capacity.
9. Other places of assembly such as schools and churches.
10. Commercial and/or office building(s) with an aggregate of more than 50,000 square feet of usable floor space. Zone shall be located to serve a maximum number of facilities on one block.
11. Hotels catering to daily guests, maintaining a ground floor lobby and a switchboard that is operated 24 hours per day.

12. A hotel or apartment house catering to weekly or monthly guests and containing more than 30 separate living units.

In addition, disabled persons parking spaces may be provided within all publicly owned, leased or controlled off-street parking facilities as specified in the General Requirements.

General Requirements

Each disabled persons parking space shall be indicated by blue paint and a sign (white on blue) showing the international symbol of accessibility (a profile view of a wheelchair with occupant).

Where installed under the above criteria the total number of disabled persons curb parking spaces will be limited to 3% of the total number of on-street parking spaces available in the area and shall be distributed uniformly within the area.

Disabled persons parking will not be installed at locations with a full-time parking prohibition. When a disabled persons parking zone is installed where a part-time parking prohibition is in effect, the disabled persons parking zone will have the same time restrictions as the part-time parking prohibition.

The cost of installing disabled persons parking will be assumed by the City on public streets and public off-street parking facilities.

In establishing on-street parking facilities for the disabled there shall be a reasonable determination made that the need is of an on-going nature. The intent is to prevent the proliferation of special parking stalls that may be installed for a short-term purpose but later are seldom used. Unjustified installation of such parking stalls unnecessarily increases the City's maintenance and operations costs, reduce available on-street parking for the general public, and detract from the overall effectiveness of the disabled persons parking program.

Special Hardship Cases

It is not the intention of the City to provide personal reserved parking on the public right-of-way, especially in residential areas. However, exceptions may be made, in special hardship cases, provided all of the following conditions exists:

- (1) Applicant (or guardian) must be in possession of valid license plates for "disabled persons" or "disabled veterans."
- (2) The proposed disabled parking space must be in front of the applicant's (or guardian's) place of residence.

- (3) Subject residence must not have useable off-street parking available or off-street space available that may be converted into disabled parking.

NOTE: It must be emphasized that such parking spaces do not constitute "personal reserved parking" and that any person with valid "disabled persons" license plates may park in the above stalls.

Jha:p

The following page(s) contain the backup material for Agenda Item: Temporary Use Permit – Wavetec requesting a ninety day extension to use the lot located at 1918 Cleveland Avenue to complete restoration on a 43 ft. sailboat from January 1, 2018 thru March 30, 2018 with no waiver of fees. (Neighborhood Services)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO. |

ITEM TITLE:

Temporary Use Permit – Wavetec requesting a ninety day extension to use the lot located at 1918 Cleveland Avenue to complete restoration on a 43 ft. sailboat from January 1, 2018 thru March 30, 2018 with no waiver of fees.

PREPARED BY: Dionisia Trejo

DEPARTMENT: Neighborhood Services Department

PHONE: (619) 336-4255

APPROVED BY: 

EXPLANATION:

This is a (90) ninety day Temporary Use Permit extension request from Wavetec to use the lot located at 1918 Cleveland Avenue to complete restoration of a 43 ft. sailboat from January 1, 2018 thru March 30, 2018. The applicant did have a prior Temporary Use Permit which was approved by City Council for the time period of October 3, 2017 thru December 31, 2017. The boat restoration is currently not complete; interior head, galley and helm stations are in working process waiting on ordered materials. Once completed the boat will be relocated to Pier 32 for permanent slip location.

The use of this parcel for boat repair is not allowed in this zone. Therefore a Temporary Use Permit is required and the current request for an extension is due to the expired prior TUP.

Note: First Temporary Use Permit was approved by Council on October 3, 2017 with no waiver of fees.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO. |

APPROVED: _____ **MIS**

City fee of \$237.00 for processing the TUP through various City Departments.

Total Fees \$237.00

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Review the Application for a Temporary Use Permit subject to compliance with all conditions and with no waiver of fees or in accordance to City Council Policy 802. |

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Application for a Temporary Use Permit with recommendations and conditions. |



City of National City ■ Neighborhood Services Department
1243 National City Boulevard ■ National City, CA 91950
(619) 336-4364 ■ fax (619) 336-4217
www.nationalcityca.gov

Special Event Application

Type of Event

- ☐ Fair/Festival ☐ Parade/March ☐ Walk or Run ☐ Concert/Performance
☐ TUP ☐ Sporting Event ☒ Other (specify) Temp. Storage of 43' sailboat

Event Name & Location

Event Title Extension of approved T.U.P. for 90 days
Event Location (list all sites being requested) 1918 Cleveland ave. National City

Event Times

Set-Up Starts
Date Jan 1, 2018 Time 7am Day of Week Monday
Event Starts
Date Jan 1, 2018 Time 7am Day of Week Monday
Event Ends
Date March 30th 2018 Time 3pm Day of Week Friday
Breakdown Ends
Date March 30th 2018 Time 3pm Day of Week Friday

RECEIVED

JAN 08 2018

Neighborhood Services Department
City of National City

Applicant Information

Applicant (Your name) Paul Ralph Sponsoring Organization WaveTec
Event Coordinator (if different from applicant) _____
Mailing Address 1625 Cleveland Ave. National City, CA 91950
Day Phone 619 370 7444 After Hours Phone 619 370 7444 Cell 619 370 7444
Public Information Phone 619 370 7444 E-mail Paul@yykinc.com

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: [Signature] Date 1/4/2018

Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us

Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes ☐ No ☒

Are admission, entry, vendor or participant fees required? Yes ☐ No ☒

If YES, please explain the purpose and provide amount (s):

\$ 0 Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ 0 Estimated Expenses for this event.

\$ 0 What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

Description of Event

☐ First time event ☒ Returning Event ☐ include site map with application

Note that this description may be published in our City Public Special Events Calendar:

Sailboat restoration not complete, interior head, galley
and helm stations in working process but waiting
on ordered materials to complete. Estimated
completion time once all materials received
is 30-45 days.

Estimated Attendance

Anticipated # of Participants: 2 Anticipated # of Spectators: none

Traffic Control, Security, First Aid and Accessibility

Requesting to close street(s) to vehicular traffic? Yes ☐ No ☒

List any streets requiring closure as a result of the event (provide map): None required

Date and time of street closure: N/A Date and time of street reopening: N/A

☐ Other (explain) _____

Requesting to post "no parking" notices? Yes ☐ No ☒

☐ Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map): _____

☒ Other (explain) This request does not involve traffic or parking coordination, all work being done on private property.

Security and Crowd Control

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: Because this is an ongoing extension request of a preapproved TVP Past performance reflects no requirements for Security.

Have you hired Professional Security to handle security arrangements for this event?

Yes ☐ No ☒ If YES, name and address of Security Organization _____

Security Director (Name): _____ Phone: _____

If using the services of a professional security firm AND the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as an additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the City's Risk Manager for review and approval prior to the event.

Is this a night event? Yes ☐ No ☒ If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: _____

First Aid

Depending on the number of participants, your event may require specific First Aid services.

First aid station to be staffed by event staff? Yes ☐ No ☒ First aid/CPR certified? Yes ☐ No ☐

☐ First aid station to be staffed by professional company. ▶ Company _____

Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

Accessibility is through existing gate and is located off city property.

Elements of your Event

Setting up a stage? Yes ☐ No ☒

☐ Requesting City's PA system

☐ Requesting City Stage; if yes, which size? ☐ Dimensions (13x28) ☐ Dimensions (20x28)

☐ Applicant providing own stage ▶ _____ (Dimensions)

Setting up canopies or tents?

One # of canopies size 40' x 12' currently erected.

0 # of tents size _____

☐ No canopies/tents being set up

Setting up tables and chairs?

☐ Furnished by Applicant or Contractor

0 # of tables ☐ No tables being set up

0 # of chairs ☐ No chairs being set up

☐ (For City Use Only) Sponsored Events – Does not apply to co-sponsored events

_____ # of tables ☐ No tables being set up

_____ # of chairs ☐ No chairs being set up

Contractor Name _____

Contractor Contact Information _____
Address City/State Phone Number

Setting up other equipment?

☐ Sporting Equipment (explain) _____

☒ Other (explain) The equipment is in place - it is the current canopy described in section "Elements of your event".

☐ Not setting up any equipment listed above at event

Having amplified sound and/or music? Yes ☐ No ☒

☐ PA System for announcements ☐ CD player or DJ music

☐ Live Music ▶ ☐ Small 4-5 piece live band ▶ ☐ Large 6+ piece live band

☐ Other (explain) _____

If using live music or a DJ. ▶ Contractor Name _____

▶ _____
Address City/State Phone Number

Using lighting equipment at your event? Yes ☐ No ☒

☐ Bringing in own lighting equipment

☐ Using professional lighting company ▶ Company Name _____

Address City/State Phone Number

Using electrical power? Yes ☒ No ☐

☒ Using on-site electricity ☐ For sound and/or lighting ☐ For food and/or refrigeration

☐ Bringing in generator(s) ☐ For sound and/or lighting ☐ For food and/or refrigeration

Vendor Information

PLEASE NOTE: You may be required to apply for a temporary health permit if food or beverages are sold or given away during your special event. Also see 'Permits and Compliance' on page 8 in the Special Events Guide. For additional information on obtaining a temporary health permit, please contact the County of San Diego Environmental Health at (619) 538-2363.

Having food and non-alcoholic beverages at your event? Yes ☐ No ☒

☐ Vendors preparing food on-site ▶ # _____ ▶ Business License # _____

If yes, please describe how food will be served and/or prepared: _____

If you intend to cook food in the event area please specify the method:

☐ GAS ☐ ELECTRIC ☐ CHARCOAL ☐ OTHER (Specify): _____

☐ Vendors bringing pre-packaged food ▶ # _____ ▶ Business License # _____

☐ Vendors bringing bottled, non-alcoholic beverages (i.e., bottled water, can soda, etc.) ▶ # _____

☐ Vendors selling food # _____ ▶ Business License #(s) _____

☐ Vendors selling merchandise # _____ ▶ Business License #(s) _____

- ☐ Food/beverages to be handled by organization; no outside vendors
- ☐ Vendors selling services # _____ ▶ Business License #(s) _____
- ▶ Explain services _____
- ☐ Vendors passing out information only (no business license needed) # _____
- ▶ Explain type(s) of information _____
- ☐ No selling or informational vendors at event

Having children activities? Yes ☐ No ☒

PLEASE NOTE: In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. There is a \$25 fee to process the permit application. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

- ☐ Inflatable bouncer house # _____ ☐ Rock climbing wall Height _____
- ☐ Inflatable bouncer slide # _____ ☐ Arts & crafts (i.e., craft making, face painting, etc.)
- ☐ Other _____

Having fireworks or aerial display? Yes ☐ No ☒

- ☐ Vendor name and license # _____
- Dimensions _____ Duration _____
- Number of shells _____ Max. size _____

PLEASE NOTE: In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/\$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$502.00

Arranging for media coverage? Yes ☐ No ☒

- ☐ Yes, but media will not require special set-up
- ☐ Yes, media will require special set-up. Describe _____

Event Signage

PLEASE NOTE: For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City's specifications. Please refer to the City's Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? Yes ☐ No ☒

☐ Yes, we will post signage # _____ Dimensions _____

☐ Yes, having inflatable signage # _____ ▶ (complete Inflatable Signage Request form)

☐ Yes, we will have banners # _____

☐ What will signs/banners say? _____

☐ How will signs/banners be anchored or mounted? _____

Waste Management

PLEASE NOTE: One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? Yes ☐ No ☒

If yes, please identify the following:

▶ Total number of portable toilets: _____

▶ Total number of ADA accessible portable toilets: _____

☐ Contracting with portable toilet vendor. ▶ _____

▶ Load-in Day & Time _____ ▶ Load-out Day & Time _____

☐ Portable toilets to be serviced. ▶ Time _____

Set-up, Breakdown, Clean-up

Setting up the day before the event?

☒ Yes, will set up the day before the event. ▶ # of set-up day(s) one day

☐ No, set-up will occur on the event day

Requesting vehicle access onto the turf?

☐ Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)

☒ No, vehicles will load/unload from nearby street or parking lot.

NPDES-Litter Fence

- ☐ City to install litter fence
- ☐ Applicant to install litter fence
- ☒ N/A

Breaking down set-up the day after the event?

- ☐ Yes, breakdown will be the day after the event. ▶ # of breakdown day(s) _____
- ☒ No, breakdown will occur on the event day. *The event "Tup" will be broken down the day the sailboat is removed. on or before March 30th 2018.*

☐ Using City crews

☒ Using volunteer clean-up crew during and after event. *Self cleanup - Paul Ralph*

☐ Using professional cleaning company during and after event.

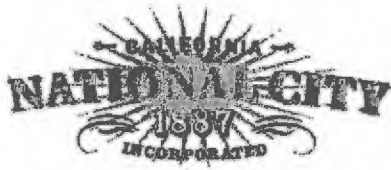
Miscellaneous

Please list anything important about your event not already asked on this application:

The existing preperformed TUP period has not adversely affected the public, other businesses or pedestrians. Property owner Paul Ralph has appreciated the council's first approval and requests this extension to complete project before putting sailboat at pier 32 slip.

Please make a copy of this application for your records.

We do not provide copies.



Special Events

Pre-Event Storm Water Compliance Checklist

I. Special Event Information

Name of Special Event:	<u>Extension to Complete 43' Sailboat for launch date.</u>		
Event Address:	<u>1918 Cleveland ave.</u>	Expected # of Attendees:	<u>2</u>
Event Host/Coordinator:	<u>Paul Ralph</u>	Phone Number:	<u>619.370.7444</u>

II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: <u>2 Two trash cans</u>	X		
Will enough recycling bins provided for the event? Provide number of recycle bins: <u>1 we have one blue recycle plastic can on site.</u>	X		
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets): <u>1918 Cleveland ave. facility or property has a bathroom.</u>		X	
Do all storm drains have screens to temporarily protect trash and debris from entering? <u>property has proper drainage - protection.</u>	X		
Are spill cleanup kits readily available at designated spots? <u>There is one spill kit in the warehouse on property should a spill of any kind require clean-up.</u>	X		

* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.

City of National City

PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

Organization: Paul Ralph - Private Citizen

Person in Charge of Activity: Paul Ralph

Address: 1625 Cleveland Ave, National City, CA 91950

Telephone: 619 370 7444 Date(s) of Use: Jan 1 - March 30 2018

HOLD HARMLESS AGREEMENT

As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorneys fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

Signature of Applicant: 

Official Title: Paul William Ralph Date: Jan 4th, 2018

For Office Use Only

Certificate of Insurance Approved _____ Date _____

Current Condition of Progress
(6) copies enclosed













**CITY OF NATIONAL CITY
NEIGHBORHOOD SERVICES DEPARTMENT
APPLICATION FOR A TEMPORARY USE PERMIT
RECOMMENDATIONS AND CONDITIONS**

SPONSORING ORGANIZATION: Wavetec

EVENT: Extension Request Complete 43' Sailboat for Launch Date

DATE OF EVENT: January 1, 2018 thru March 30, 2018

APPROVALS:

DEVELOPMENT SERVICES	YES [x]	NO []	SEE CONDITIONS [x]
RISK MANAGER	YES [x]	NO []	SEE CONDITIONS [x]
PUBLIC WORKS	YES [x]	NO []	SEE CONDITIONS []
FINANCE	YES [x]	NO []	SEE CONDITIONS []
FIRE	YES [x]	NO []	SEE CONDITIONS [x]
POLICE	YES [x]	NO []	SEE CONDITIONS [x]
CITY ATTORNEY	YES [x]	NO []	SEE CONDITIONS [x]
COMMUNITY SERVICES	YES [x]	NO []	SEE CONDITIONS []
NEIGHBORHOOD SERVICES	YES [x]	NO []	SEE CONDITIONS [x]
CODE ENFORCEMENT	YES [x]	NO []	SEE CONDITIONS [x]

CONDITIONS OF APPROVAL:

DEVELOPMENT SERVICES (619) 336-4318

Building

No comments

Planning

I am not in favor of granting the extension. However, I will defer to the City Council. If the extension is granted the same conditions as before shall apply.

Engineering

No comments

POLICE DEPARTMENT

This process will not impact patrol services. On duty personnel will be made aware of the move.

PUBLIC WORKS (619)366-4580

No Involvement

FINANCE

No comments

CITY ATTORNEY

Requires an indemnification and hold harmless agreement, and a policy of general liability insurance, with the City and its officers, officials, employees, agents, and volunteers as additional insureds, with amounts of coverage to be determined by the Risk Manager.

COMMUNITY SERVICES

No involvement

NEIGHBORHOOD SERVICES

Neighborhood Notifications – Events are required to notify residents and/or businesses of the surrounding impacted areas by the event. The notice shall include the name of the event, name and phone number of the company/organization producing the event, the dates and times of the event (including set-up and breakdown) and a detailed description of how the residents and/or businesses may be affected, such as by street closures, “No Parking” signs being posted, music at the event, etc.

RISK MANAGER (619) 336-4370

Risk Management has reviewed the above captioned application for the issuance of a Temporary Use Permit. In as much as the event will be held solely on private property there will be no additional insurance requirements necessary for the issuance of the permit.

It should be noted that the Hold Harmless and Indemnification Agreement were properly executed by the applicant at the time the Special Event Application was submitted.

CODE ENFORCEMENT

No work shall be conducted on or at the boat on Sundays. Monday – Saturday work hours shall only occur 7 a.m. – 7 p.m.

The use of this parcel for boat repair is not allowed in this zone. Therefore, a Temporary Use Permit is required.

This boat must be removed from the premises no later than March 30, 2018.

FIRE (619) 336-4550

Stipulations required by the Fire Department for this event are as follows:

- 1) Access to and in and through all parking lots is to be maintained at all times.
- 2) Fire Hydrants and Fire Department connections for fire sprinkler systems shall not be blocked or obstructed.
- 3) If tents or canopies are used, contact the Fire Dept. for permits, see below
- 4) If tents or canopies are used, tents having an area in excess of 200 square feet and or canopies in excess of 400 square feet or multiple tents and or canopies placed together equaling or greater than the above stated areas, are to be used, they shall be flame-retardant treated with an approved State Fire Marshal seal attached. A ten feet separation distance must be maintained between tents and canopies. A permit from the Fire Department must be obtained. *Cooking shall not be permitted under tents or canopies unless the tents or canopies meet "State Fire Marshal approval for cooking.* Certificate of State Fire Marshal flame resistancy shall be provided to the National City Fire Department if applicable. A permit for the projected canopies/tents shall be four hundred (\$400.00) dollars. Fees can only be waived by City Council.

Canopies:

0 – 400 sf -	\$0
401 – 500 sf -	\$250.00
501 – 600 sf -	\$300.00
601 – 700 sf -	\$400.00

Tents:

0 –200 sf -	\$200.00
201 – (+) sf -	\$400.00

- 5) If work extends what is listed on the TUP the Fire Dept. will need to be contacted for possible TUP modifications. As well as the County of San Diego Hazmat Division.
- 6) If any hazardous work starts, including fiber glassing, hot work painting, etc. All related California Fire and NFPA Codes will need to be met and the Fire Dept. must be contacted to issue required permits.

The following page(s) contain the backup material for Agenda Item: Warrant Register #24 for the period of 12/06/17 through 12/12/17 in the amount of \$1,163,176.04.
(Finance)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #24 for the period of 12/06/17 through 12/12/17 in the amount of \$1,163,176.04.
(Finance)

PREPARED BY: Karla Apalategui, Accounting Assistant

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: _____

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 12/06/17 through 12/12/17.

Consistent with Department of Finance, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
H&E Equipment Services Inc	332049	54,034.38	2017 Ginei – TZ50, 50FT Trailer
MJC Construction	332070	58,584.68	Fire Station 33 Project
Neri Landscape Architecture	332074	69,837.02	Paradise Creek Park Project
Palm Engineering	332078	67,204.94	Division St. Traffic Calming
Project Professionals Corp	332090	106,344.98	Westside Mobility Improvements
San Diego Sports Medicine	332102	51,235.94	Wellness Physicals / Fire
Public Emp Ret System	12122017	232,006.69	Service Period 11/07/17 – 11/20/17

FINANCIAL STATEMENT:

APPROVED: _____ **FINANCE**

ACCOUNT NO.

APPROVED: _____ **MIS**

Warrant total \$1,163,176.04.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION** ☐ **FINAL ADOPTION** ☐

STAFF RECOMMENDATION:

Ratify warrants totaling \$1,163,176.04

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Warrant Register #24



WARRANT REGISTER #24
12/12/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ADAMSON POLICE PRODUCTS	VEST - SANCHEZ	331999	12/12/17	826.50
ADMINSURE INC	PROFESSIONAL SERVICES DECEMBER 2017	332000	12/12/17	7,169.16
AETNA BEHAVIORAL HEALTH	EMPLOYEE ASSISTANCE PROGRAM DECEMBER 2017	332001	12/12/17	812.66
AMERICAN MEDICAL RESPONSE	HEARTSAVER CPR MANUALS	332002	12/12/17	251.79
ARJIS	ARJIS FEE / PD	332003	12/12/17	13,482.00
AT&T	AT&T SBC PHONE SERVICE OCTOBER 2017	332004	12/12/17	8,665.41
AT&T	AT&T SBC PHONE SERVICE NOVEMBER 2017	332005	12/12/17	327.40
BANNER BANK	PLAZA BLVD. WIDENING N AVENUE	332006	12/12/17	11,421.58
BOYS & GIRLS CLUB OF SAN DIEGO	DON CORYELL CLASSIC / OCTOBER 2017 / MENDIVIL	332007	12/12/17	300.00
BSE ENGINEERING INC	POLICE STATION UPGRADES PROJECT	332008	12/12/17	1,673.08
CALIFA GROUP	CENIC BROADBAND - LIBRARY JULY-SEPT 2017	332009	12/12/17	4,627.74
CALIFORNIA AIR COMPRESSOR CO	VALVE REPLACEMENT / NSD	332010	12/12/17	155.09
CALIFORNIA DIESEL COMPLIANCE	MISCELLANEOUS PARTS EXHAUST	332011	12/12/17	3,032.86
CALIFORNIA ELECTRIC SUPPLY	M OP 45698 ELECTRIC SUPPLIES PW	332012	12/12/17	359.72
CALIFORNIA SCHOOL PERSONNEL	GOVERNMENTAL PURPOSES	332013	12/12/17	750.00
CEB	BOOKS / CITY ATTORNEY	332014	12/12/17	597.91
CHILDREN'S HOSPITAL	SAFE ROUTE TO SCHOOL	332015	12/12/17	24,597.80
CHILDREN'S HOSPITAL	CHILD FORENSIC EXAM	332016	12/12/17	461.00
CHRISTENSEN & SPATH LLP	PROFESSIONAL SERVICES / HOUSING	332017	12/12/17	3,768.75
CLF WAREHOUSE INC	M OP 80331 AUTO SUPPLIES PW	332018	12/12/17	775.35
COHERO	COHERO SUPPORT 12/01/17 - 02/28/18	332019	12/12/17	26,780.00
COLLIERS INTERNATIONAL	APPRAISAL/ CELL TOWER/ HOUSING	332020	12/12/17	2,800.00
CONTRERAS, R	NACOLE CONFERENCE TRAVEL EXPENSE	332021	12/12/17	148.61
COUNTY OF SAN DIEGO	REGIONAL COMMUNICATIONS SYSTEM OCTOBER 2017	332023	12/12/17	8,991.30
COX COMMUNICATIONS	COX DATA SERVICES NOVEMBER 2017	332024	12/12/17	178.65
CSAC EXCESS INS AUTHORITY	CERTIFICATES OF INSURANCE MANAGEMENT	332025	12/12/17	2,212.50
CYNTHIA TITGEN CONSULTING INC	PROFESSIONAL SERVICES NOVEMBER 2017	332026	12/12/17	1,890.00
DANIELS TIRE SERVICE	MOP76986 TIRES PW	332027	12/12/17	368.68
DATA TICKET INC	DATA TICKET PARKING ENF. / OCTOBER	332028	12/12/17	4,976.50
DAY WIRELESS SYSTEMS (20)	SERVICE AGREEMENT, FIRE	332029	12/12/17	665.75
DEPARTMENT OF JUSTICE	INVESTIGATIVE SERVICES OCTOBER 2017	332030	12/12/17	96.00
DEPT OF JUSTICE	DOJ FINGERPRINTING	332031	12/12/17	544.00
DUNBAR ARMORED INC	ARMORED SERVICES - FINANCE	332032	12/12/17	251.73
DURON, C	MEDI FEE REIMBURSEMENT	332033	12/12/17	242.50
ENTERPRISE FLEET MANAGEMENT	TOLL ROAD CHARGE - PW	332034	12/12/17	10.00
ESGIL CORPORATION	PLAN CHECKS, BUILDING	332035	12/12/17	23,336.07
EXOS COMMUNITY SERVICES LLC	PROFESSIONAL SERVICES AND PROGRAM MANAGE	332036	12/12/17	37,011.35
EXPERIAN	CREDIT CHECKS	332037	12/12/17	119.46
EYECOMM INC	POSTAGE FOR SEWER PUBLIC NOTICE - ENG	332038	12/12/17	3,149.02
FEDEX	FED EX CHARGES, FIRE	332039	12/12/17	46.11
FERGUSON ENTERPRISES INC	MOP # 45723 SUPPLIES SEWER MAIN - PW	332040	12/12/17	340.11
FIRE ETC	HIGHRISE PACKS	332041	12/12/17	230.33
FLYERS ENERGY LLC	MOBIL SUPER SYNTHETIC	332042	12/12/17	899.63
GEORGE H WATERS NUTRITION CTR	WELLNESS COMMITTEE BREAKFAST	332043	12/12/17	240.00
GONZALEZ, VICTOR	NACOLE CONFERENCE TRAVEL EXPENSE	332044	12/12/17	144.99
GOVERNMENT FINANCE	FY2017 COMPREHENSIVE FINANCIAL REPORT	332045	12/12/17	580.00
GOVERNMENT FINANCE	FY2017 POPULAR ANNUAL FINANCIAL REPORT	332046	12/12/17	225.00
GRAINGER	MOP # 65179 - SUPPLIES - PW	332047	12/12/17	763.12
GUYOU CONSTRUCTION	REFUND OF BUILD	332048	12/12/17	78.00
H&E EQUIPMENT SERVICES INC	2017 GENIE- TZ50, 196 of 385 PUNTED B	332049	12/12/17	54,034.38



WARRANT REGISTER #24
12/12/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
HAAKER EQUIPMENT COMPANY	ADDITIONAL INVOICE W47908 AUTO SUPPLIES	332050	12/12/17	2,787.97
HAWTHORNE MACHINERY	PUMP FAN	332051	12/12/17	2,337.10
HDL COREN & CONE	CONTRACT SVC - PROPERTY TAX OCT-DEC 2017	332052	12/12/17	2,814.24
HEARTSMART.COM	AED UNITS	332053	12/12/17	3,780.00
HEAVY EQUIPMENT SALES LLC	SEAT CUSHION, CUSHION FOR BACKREST,	332054	12/12/17	857.67
HINDERLITER DE LLAMAS & ASSOC	CONTRACT & TAX SVCS SALE TAX 4TH QTR	332055	12/12/17	14,911.45
HINDERLITER DE LLAMAS & ASSOC	AUDIT SVCS - SALE TAX 4TH QTR	332056	12/12/17	221.25
INNOVATIVE CONSTRUCTION	ALLEYS & MISC.	332057	12/12/17	29,358.00
INTERNATIONAL CODE COUNCIL	CODE CHECK ELECTRICAL 8TH EDITION	332058	12/12/17	17.95
JERAULDS CAR CARE CENTER	MO P 72449 AUTOMOBILE SUPPLIES PW	332059	12/12/17	120.85
K SURPLUS SALES INC	RUBBER BOOTS, SAFETY VESTS	332060	12/12/17	75.96
KINSMAN CONSTRUCTION INC	POLICE DEPT. BUILDING PROJECT	332061	12/12/17	5,527.43
KIRE BUILDERS INC	FEE REFUND, BUILDING	332062	12/12/17	21,617.40
KONICA MINOLTA	KONICA MINOLTA COPIER EQUIPMENT LEASE	332063	12/12/17	3,050.58
LANGUAGE LINE SERVICES	DISPATCH TRANSLATION SERVICE	332064	12/12/17	163.69
LASER SAVER INC	MOP#45725/PRINTER TONER SUPPLIES/MIS	332065	12/12/17	359.64
LEFORTS SMALL ENGINE REPAIR	MO P 80702 AUTOMOBILE SUPPLIES PW	332066	12/12/17	340.39
LEXIPOL LLC	ONE YEAR SUBSCRIPTION / PD	332067	12/12/17	16,742.00
LOPEZ, TERESA YOLANDA	TRANSLATION SERVICES / CITY CLERKS OFFICE	332068	12/12/17	386.60
MES CALIFORNIA	DRY WALL HOOKS / PW	332069	12/12/17	396.81
MJC CONSTRUCTION	FIRE STATION 33 PROJECT	332070	12/12/17	58,584.68
MOSSY NISSAN	2018 NISSAN ALTIMA / PD	332071	12/12/17	18,896.22
MUNISERVICES LLC	STATISTICAL REPORT FOR CAFR	332072	12/12/17	500.00
NATIONAL CITY TROPHY	MOP 66556, CITY MANAGER CHARGES	332073	12/12/17	110.30
NERI LANDSCAPE ARCHITECTURE	PARADISE CREEK PARK PROJECT	332074	12/12/17	69,837.02
OFFICE SOLUTIONS BUSINESS	HIGH BACK BLACK CHAIR	332075	12/12/17	313.20
OHTM INC	MARKETING AD FOR A KIMBALL HOLIDAY / CSD	332076	12/12/17	400.00
O'REILLY AUTO PARTS	MO P75877 AUTO SUPPLIES PW	332077	12/12/17	384.80
PALM ENGINEERING	DIVISION ST. TRAFFIC CALMING	332078	12/12/17	67,204.94
PALOMAR HEALTH	OCTOBER SEXUAL ASSAULT EXAM	332079	12/12/17	2,700.00
PALOMINO JR	REFUND OF BUILDING FEES	332080	12/12/17	50.00
PARADISE PRINTING & GRAPHICS	PRINTING OF MONTH CALENDARS / PD	332081	12/12/17	7,325.92
PARRA, F	REIMBURSEMENT / REPAIR CELL PHONE	332082	12/12/17	54.11
PARTS AUTHORITY METRO LLC	MO P75943 AUTO SUPPLIES PW	332083	12/12/17	615.57
PARTS AUTHORITY METRO LLC	MO P 75943 AUTOMOBILE SUPPLIES PW	332084	12/12/17	5.60
PEACE OFFICERS RESEARCH	PORAC RESERVES	332085	12/12/17	50.00
PENSKE FORD	MOP49078 AUTOMOBILE SUPPLIES PW	332086	12/12/17	683.23
PORAC LEGAL DEFENSE FUND	LEGAL DEFENSE FUND RESERVES / PD	332087	12/12/17	67.50
PREMIER ROOFING INC	REFUND OF BUILDING FEE	332088	12/12/17	909.00
PRO BUILD	MOP #45707 - SUPPLIES -PW	332089	12/12/17	547.86
PROJECT PROFESSIONALS CORP	WESTSIDE MOBILITY IMPROVEMENTS	332090	12/12/17	106,344.98
PRUDENTIAL OVERALL SUPPLY	MO P45742 LAUNDRY SERVICES PW	332091	12/12/17	1,112.06
RELY ENVIRONMENTAL	HAZARDOUS WASTE PICK UP / ENG	332092	12/12/17	6,792.00
RESCUE ROOTER	REFUND OF BUILDING FEES	332093	12/12/17	167.00
ROADONE	M OP 75948 AUTO SUPPLIES PW	332094	12/12/17	540.00
RON BAKER CHEVROLET	MO P45751 AUTOMOBILES SUPPLIES PW	332095	12/12/17	59.69
S D COUNTY SHERIFF'S DEPT	RANGE USE / PD	332096	12/12/17	1,400.00
SAFRAN MORPHOTRUST	INVESTIGATIVE SERVICES OCTOBER 2017	332097	12/12/17	6.00
SAN DIEGO FAMILY MAGAZINE LLC	MARKETING AD FOR KIMBALL HOLIDAY / CSD	332098	12/12/17	690.00
SAN DIEGO FRICTION PRODUCTS	MOP 80333 AUTO S	332099	12/12/17	360.30



WARRANT REGISTER #24
12/12/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SAN DIEGO MIRAMAR COLLEGE	POLICE REGIONAL ACADEMY / WILSON / PD	332100	12/12/17	690.00
SAN DIEGO MIRAMAR COLLEGE	TRAINING TUITION FIELD TRAINING OFFICER / PD	332101	12/12/17	23.00
SAN DIEGO SPORTS MEDICINE	WELLNESS PHYSICALS / FIRE	332102	12/12/17	51,235.94
SCANNING SERVICE CORPORATION	SCANNING SERVICES: BUILDING	332103	12/12/17	7,252.70
SITEONE LANDSCAPE SUPPLY LLC	MO P69277 LANDSCAPE SUPPLIES PW	332104	12/12/17	205.27
SMART SOURCE OF CALIFORNIA LLC	DRAWSTRING BACKPACKS / POLICE	332105	12/12/17	1,139.71
SONSRAY MACHINERY LLC	MIRROR FOR CITY VEHICLE	332106	12/12/17	308.80
SOUTH COAST EMERGENCY	SENTRY SEAL / PW	332107	12/12/17	3,625.36
SPARKLETTES	WATER SERVICES / OCTOBER 2017	332108	12/12/17	5.84
SPURLOCK LANDSCAPE ARCHITECTS	PARADISE CREEK P. & TRAIL W.	332109	12/12/17	13,418.75
STAPLES BUSINESS ADVANTAGE	MOP 45704. OFFICE SUPPLIES / CITY CLERKS	332110	12/12/17	1,283.55
STC TRAFFIC INC	WI-TOD HYDROLOGY PROJECT	332111	12/12/17	7,482.50
STRAFFORD	WEBINAR / CITY ATTORNEY	332112	12/12/17	247.00
SWRCB	BILLING PERIOD 10/01/17 - 09/30/18 / ENG	332113	12/12/17	21,344.00
SYMBOLARTS, LLC	LAPEL BADGE PINS / PD	332114	12/12/17	1,256.00
T MAN TRAFFIC SUPPLY	MOP #76666 SUPPLIES - PW	332115	12/12/17	2,639.29
THE BANK OF NEW YORK MELLON	CUSTODIAN FEE 7/01/17 TO 9/30/17	332116	12/12/17	300.00
THE HOME DEPOT CREDIT SERVICES	PLANTS FOR PARKS	332117	12/12/17	119.79
THE PUN GROUP LLP	INDEPENDENT AUDITING SERVICES FOR FY18	332118	12/12/17	25,714.00
THE SHERWIN WILLIAMS CO	MO P77816 PAINTING SUPPLIES PW	332119	12/12/17	125.77
THOMSON REUTERS BARCLAYS	CCR T 19 PUBLIC SERVICE CODES	332120	12/12/17	129.60
TREASURER COUNTY OF S D	HIRT MEMBERSHIP FEE FY18	332121	12/12/17	44,879.00
TSC GROUP INC	LEASE STATION #33	332122	12/12/17	2,302.78
U S BANK	CREDIT CARD EXPENSES / FIRE	332123	12/12/17	2,791.90
U S HEALTHWORKS	MEDICAL SERVICES	332124	12/12/17	3,724.00
UNITED RENTALS	ADDITIONAL INVOICES# 144979629-007, 1449	332125	12/12/17	11,178.75
UNITED ROTARY BRUSH CORP	MOP 62883 AUTOMOBILE SUPPLIES PW	332126	12/12/17	268.44
VALENZUELA, A	MEDIC FEE REIMBURSEMENT	332127	12/12/17	242.50
VCA EMERGENCY ANIMAL HOSPITAL	STRAY ANIMAL CARE	332128	12/12/17	1,512.42
VERIZON WIRELESS	VERIZON CELLULAR SERVICE NOVEMBER 2017	332129	12/12/17	10,217.42
WEST PAYMENT CENTER	BOOKS / PD	332130	12/12/17	2,580.27
WESTFLEX INDUSTRIAL	MOP63850 AUTOMOBILE SUPPLIES PW	332131	12/12/17	56.15
WILLY'S ELECTRONIC SUPPLY	MOP #45763/ELECTRONIC SUPPLIES/MIS	332132	12/12/17	94.03
WITMER PUBLIC SAFETY GROUP INC	HELMET SHIELDS / FIRE	332133	12/12/17	360.12
WRIGLEY'S SUPERMARKETS	FRUITS FOR KABOOM / CSD	332134	12/12/17	75.00
XPEDIENT COMMUNICATIONS INC	FIBER TERMINATION / MIS	332135	12/12/17	1,815.73
ZOLL MEDICAL CORP	SUPPLIES FOR FIRE DEPARTMENT	332136	12/12/17	2,195.55
PHILLIPS, W	TRAINING REIMB ICI CORE/PHILLIPS SR. PD	332137	12/12/17	339.87
A/P Total				931,169.35
WIRED PAYMENTS				
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 11/07/17 - 11/20/17	12122017	12/12/17	232,006.69

GRAND TOTAL

\$ 1,163,176.04

Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

MARK ROBERTS, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

ALBERT MENDIVIL, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

JERRY CANO, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 6th OF FEBRUARY, 2018.

AYES_____

NAYS_____

ABSENT_____

The following page(s) contain the backup material for Agenda Item: Warrant Register #25 for the period of 12/13/17 through 12/19/17 in the amount of \$2,105,208.15.
(Finance)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #25 for the period of 12/13/17 through 12/19/17 in the amount of \$2,105,208.15.
(Finance)

PREPARED BY: Karla Apalategui, Accounting Assistant

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: _____

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 12/13/17 through 12/19/17.

Consistent with Department of Finance, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
County of San Diego	332167	98,702.13	Maintenance to Sweetwater Channel
Health Net Inc	332194	84,059.49	Health Net INS R1192A Dec 2017
Kaiser Foundation HP	332196	182,294.10	Kaiser Insurance Active Dec 2017
SDG&E	332234	102,746.76	Facilities Division Gas & Electric Utilities
Bank of America	929040	144,293.05	Lease Agreement Dec 2017
Adminsire Inc	945681	62,678.26	W/C Acct Replenishment Nov 2017

FINANCIAL STATEMENT:

APPROVED: _____ **FINANCE**

ACCOUNT NO.

APPROVED: _____ **MIS**

Warrant total \$2,105,208.15.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION** ☐ **FINAL ADOPTION** ☐

STAFF RECOMMENDATION:

Ratify warrants totaling \$2,105,208.15

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Warrant Register #25



WARRANT REGISTER #25
12/19/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
PHILLIPS, W	REIMB / BANK FEE - RETURNED STALE CHECK	332138	12/18/17	15.00
YBARRA, A	TRAINING AXON REIMB / PD	332139	12/18/17	337.24
ABLE PATROL & GUARD	SECURITY GUARD SERVICE / LIBRARY	332140	12/19/17	3,084.50
ACME SAFETY & SUPPLY CORP	SAFETY JACKET & REFLECTIVE PANTS / PW	332141	12/19/17	1,004.90
ADAMSON POLICE PRODUCTS	STANICH BALLISTIC VEST / PD	332142	12/19/17	918.95
AFLAC	AFLAC ACCT BDM36 DEC 2017	332143	12/19/17	760.26
ALDEMCO	FOOD / NUTRITION CENTER	332144	12/19/17	3,868.72
ALL FRESH PRODUCTS	FOOD / NUTRITION CENTER	332145	12/19/17	1,226.97
ALLEN INSTRUMENTS & SUPPLIES	TRAFFIC SUPPLIES / PD	332146	12/19/17	851.58
AMAZON	BOOKS / LIBRARY	332147	12/19/17	1,714.36
ASSI SECURITY INC	CITY WIDE DOOR SECURITY SERVICES / PW	332148	12/19/17	860.00
AXON ENTERPRISE INC	TASER DOWNLOAD / PD	332149	12/19/17	1,200.00
BAKER & TAYLOR	BOOKS / LIBRARY	332150	12/19/17	1,519.24
BEHAVIOR ANALYSIS	TRAINING INTERVIEW AND INTERROGATION / PD	332151	12/19/17	481.00
BIBLIOTHECA LLC	ANNUAL SUPPORT AND MAINTENANCE RENEWAL	332152	12/19/17	10,481.85
BLACKIE'S TROPHIES AND AWARDS	MOP NAMETAGS / PD	332153	12/19/17	90.93
BRODART CO	BOOKS FOR FY2018 - LIBRARY	332154	12/19/17	174.44
C A P F	FIRE LTD NOVEMBER 2017	332155	12/19/17	931.00
C A P F	FIRE LTD DECEMBER 2017	332156	12/19/17	931.00
CAHA	CAHA MEMBERSHIP DUES FY 2017-2018	332157	12/19/17	900.00
CALIFORNIA COMMERCIAL SECURITY	MO P45754 BUILDING SUPPLIES PW	332158	12/19/17	1,020.05
CALIFORNIA LAW ENFORCEMENT	PD LTD DECEMBER 2017	332159	12/19/17	2,082.50
CALIFORNIA LAW ENFORCEMENT	PD LTD NOVEMBER 2017	332160	12/19/17	2,070.50
CALIFORNIA POLICE CHIEFS ASSOC	TRAINING TUITION 2018 TRAINING SYMPOSIUM / PD	332161	12/19/17	650.00
CLEAN HARBORS	CONTRACT SERVICES / ENG	332162	12/19/17	244.00
COAST INDUSTRIAL SYSTEMS INC	SUPPLIES FOR STREETS / PW	332163	12/19/17	105.62
COMMERCIAL AQUATIC SERVICE INC	CHEMICAL SUPPLIES PURCHASES / PW	332164	12/19/17	721.67
COPWARE INC	SOFTWARE UPDATE / PD	332165	12/19/17	2,220.00
COUNTY OF SAN DIEGO	HEALTH DEPARTMENT PERMIT / NUTRITION	332166	12/19/17	279.00
COUNTY OF SAN DIEGO	MAINTENANCE TO SWEETWATER CHANNEL	332167	12/19/17	98,702.13
COUNTYWIDE MECHANICAL	CITY WIDE ONSITE HEATING & VENTILATION / PW	332168	12/19/17	4,001.56
DAY WIRELESS SYSTEMS	DAY WIRELESS OCT NOV DEC 2017	332169	12/19/17	6,588.00
DELGADO, E	REIMB FOR LUNCH PROVIDED ON HOLIDAY EVENT	332170	12/19/17	299.73
DELTA DENTAL	DENTAL INS PREMIER DECEMBER 2017	332171	12/19/17	16,254.04
DELTA DENTAL	COBRA PREMIER DENTAL INS DEC 2017	332172	12/19/17	135.66
DELTA DENTAL INSURANCE CO	PMI DENTAL INS DECEMBER 2017	332173	12/19/17	2,861.76
DELTA DENTAL INSURANCE CO	COBRA DENTAL INS PMI DEC 2017	332174	12/19/17	4.62
DICK MILLER INC	CITYWIDE ALLEY IMPROV. PROJECT	332175	12/19/17	29,043.40
DISCOUNT SCHOOL SUPPLY	TINY TOT CLASSROOM SUPPLIES / CSD	332176	12/19/17	433.95
DIXIELINE LUMBER CO	MOP 45707. CLEAR EXTERIOR SEALER / CSD	332177	12/19/17	25.65
DOLLAMUR SPORT SURFACES OR	FLEXI FLOOR FOR DESCALLATION / PD	332178	12/19/17	6,684.26
DPREP INC	TRAINING TUITION HOSTAGE NEGOTIATION/LONG/PD	332179	12/19/17	674.00
DURAN, D	EDUCATIONAL REIMBURSEMENT	332180	12/19/17	1,625.00
EBSCO INFORMATION SERVICES	EBSCO PRINT MAGAZINE SUBSCRIPTION - LIBRARY	332181	12/19/17	5,425.43
EQUIFAX INFORMATION SVCS	EQUIFAX CREDIT REPORTING FOR S8	332182	12/19/17	50.00
EXPERIAN	CREDIT CHECKS / PD	332183	12/19/17	30.40
FACTORY MOTOR PARTS	SYNTHETIC OIL 5W-30, SYNTHETIC BLEND OIL	332184	12/19/17	283.32
FEDEX	SHIPPING FOR COMMUNITY SERVICES	332185	12/19/17	42.97
FERGUSON ENTERPRISES INC	PVC PIPE, PVC S 4	332186	12/19/17	1,768.63
GONZALES, G	TRAINING ADV SU	332187	12/19/17	691.17



WARRANT REGISTER #25
12/19/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
GRAINGER	MOP 65179 BUILDING SUPPLIES PW	332188	12/19/17	1,588.17
GROSSMAN PSYCHOLOGICAL	PRE EMPLOYMENT PSYCHOLOGICAL EVALS / PD	332189	12/19/17	2,100.00
HEALTH NET	HEALTH FULL NETWORK 57135A DEC 2017	332190	12/19/17	5,761.00
HEALTH NET	HEALTH NET INS N7176F DEC 2017	332191	12/19/17	1,470.86
HEALTH NET	HEALTH NET INS N7177A DEC 2017	332192	12/19/17	1,141.24
HEALTH NET	HEALTH NET R1192Q DEC 2017	332193	12/19/17	638.26
HEALTH NET INC	HEALTH NET INS R1192A DEC 2017	332194	12/19/17	84,059.49
HERNANDEZ, G	REIMBURSEMENT FOR HOLIDAY DECORATIONS / LIB	332195	12/19/17	89.39
KAISER FOUNDATION HEALTH PLANS	KAISER INSURANCE ACTIVE DEC 2017	332196	12/19/17	182,294.10
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS DEC 2017	332197	12/19/17	19,932.42
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS DEC 2017	332198	12/19/17	7,296.40
KAISER FOUNDATION HEALTH PLANS	KAISER HD H S A INS DEC 2017	332199	12/19/17	4,178.86
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS COBRA DEC 2017	332200	12/19/17	2,881.62
LANGUAGE LINE SERVICES	LANGUAGE LINE SERVICES FOR DISPATCH / PD	332201	12/19/17	79.53
LASER SAVER INC	MOP 45725. TONER FOR TINY TOTS / CSD	332202	12/19/17	1,299.99
LONG, D	TRAINING REIMBURSEMENT 24 HR PERISHABLE	332203	12/19/17	108.45
MAN K9 INC	BASIC HANDLERS COURSE IN PATROL WORK / PD	332204	12/19/17	7,080.00
MEGLA MANUFACTURING INC	FABRICATION WELDING ASSEMBLY / PW	332205	12/19/17	350.00
MIDWEST TAPE	AUDIO VISUAL MATERIALS FOR FY2018 - LIBRARY	332206	12/19/17	865.89
MOTOROLA SOLUTIONS INC	CAR RADIO / PD	332207	12/19/17	8,119.62
MUNOZ, L	TRAINING / CALPERA 2018=7 CONFERENCE / HR	332208	12/19/17	865.91
NAPA AUTO PARTS	MOP45735 AUTO SUPPLIES PW	332210	12/19/17	23.91
NATIONAL CITY ROTARY CLUB	ROTARY DUES / PD	332211	12/19/17	150.00
NGUYEN, L	TRAINING REIMBURSEMENT SWAT / PD	332212	12/19/17	444.06
OPTUM BANK	H S A BANKING DUES JUL, AUG, SEP 2017	332213	12/19/17	58.50
ORKIN	PEST AND RODENT CONTROL SERVICES / PD	332214	12/19/17	882.00
PACIFIC AUTO REPAIR	SMOG CERTIFICATION / PW	332215	12/19/17	314.50
PADRE JANITORIAL SUPPLIES	JANITORIAL SUPPLIES / NUTRITION	332216	12/19/17	366.37
PENSKE FORD	MO P49078 AUTO SUPPLIES PW	332217	12/19/17	228.05
PHILLIPS, W	REIMB: FOR GLASSES REF CASE 1705811	332218	12/19/17	386.00
POLICE EXECUTIVE RESEARCH	PERF MEMBERSHIPS RODRIGUEZ & ESPIRITU / PD	332219	12/19/17	400.00
PORAC LEGAL DEFENSE FUND	LEGAL DEF FUND RESERVES	332220	12/19/17	108.00
POWERSTRIDE BATTERY CO INC	MO P67839 AUTO SUPPLIES PW	332221	12/19/17	257.89
PRO BUILD	MOP45707 GENERAL SUPPLIES PW	332223	12/19/17	4,597.24
PRO-EDGE KNIFE	KNIFE SHARPING SERVICE / NUTRITION	332224	12/19/17	46.00
PROFORCE LAW ENFORCEMENT	TASER HOLSTERS / PD	332225	12/19/17	466.27
RELIANCE STANDARD	VOLUNTARY LIFE INS DEC 2017	332226	12/19/17	3,056.17
ROADONE	MOP TOWING SERVICES / PD	332227	12/19/17	40.00
ROUNDS, R	TRAINING ADV LODG LAW ENFO SYMP/ ROUNDS	332228	12/19/17	462.94
ROUNDS, R	TRAINING LAW ENFORCEMENT LEADERSHIP / ROUNDS	332229	12/19/17	441.96
SAN DIEGO FRICTION PRODUCTS	AIR SPRINGS / PW	332230	12/19/17	598.13
SAN DIEGO HYDRAULICS	WHITE DRIVE MOTOR / PW	332231	12/19/17	614.36
SAN DIEGO MIRAMAR COLLEGE	TRAINING TUITION ROT / AYDELOTTE	332232	12/19/17	92.00
SAN DIEGO PET SUPPLY	MOP PD / CANINE SUPPLIES	332233	12/19/17	1,064.88
SDG&E	FACILITIES DIVISION GAS & ELECTRIC UTILITIES	332234	12/19/17	102,746.76
SEAPORT MEAT COMPANY	FOOD / NUTRITION CENTER	332235	12/19/17	2,148.21
SEGAL, M	TRAINING REIMBURSEMENT THREAT ASSESSMENT	332236	12/19/17	318.38
SHULTZ, J	TRAINING REIMBURSEMENT PROGRESSIVE SOLUTION	332237	12/19/17	133.13
SMART & FINAL	MOP SUPPLIES FOR	332238	12/19/17	233.09
SMART SOURCE OF CALIFORNIA LLC	MOP PD COLLISIO	332239	12/19/17	3,174.24



WARRANT REGISTER #25
12/19/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SONSRAY MACHINERY LLC	RING SNAP, SPACER / PW	332240	12/19/17	29.38
STAPLES BUSINESS ADVANTAGE	MOP STAPLES/PD	332241	12/19/17	2,298.34
STARTECH COMPUTERS	MOP COMPUTER SUPPLIES / PD MIS	332242	12/19/17	769.33
SUPERIOR READY MIX	CONCRETE DELIVERY SERVICES / PW	332243	12/19/17	1,000.42
SWEETWATER AUTHORITY	PARKS DIVISION WATER UTILITIES	332244	12/19/17	8,729.29
SYMBOLARTS, LLC	BADGE REPAIRS / PD	332245	12/19/17	440.00
SYSCO SAN DIEGO INC	FOOD / NUTRITION CENTER	332246	12/19/17	6,679.89
THE COUNSELING TEAM	EMPLOYEE SUPPORT SVCS / PD	332247	12/19/17	4,137.50
THE LINCOLN NATIONAL LIFE INS	LIFE & AD&D STD LTD INS DEC 2017	332248	12/19/17	9,924.29
THE SHERWIN WILLIAMS CO	MOP# 77816. PAINT SUPPLIES / NSD	332249	12/19/17	71.78
U S BANK	CREDIT CARD EXPENSES / HR	332250	12/19/17	1,249.59
U S BANK	CREDIT CARD EXPENSES / POLICE	332251	12/19/17	654.12
U S HEALTHWORKS	MEDICAL SERVICES	332252	12/19/17	1,726.00
UNDERGROUND SERVICE ALERT	UNDERGROUND SERVICE ALERT FY 2018	332253	12/19/17	453.85
VISION SERVICE PLAN	VISION SERVICE PLAN (CA) DEC 2017	332254	12/19/17	1,384.84
VORTEX INDUSTRIES INC	CITY WIDE ON SITE SERVICE AND REPAIRS / PW	332255	12/19/17	687.52
WASTE WISE (WCM INC.)	P&E SUPPLIES GLOVES / PD	332256	12/19/17	880.90
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES / PW	332257	12/19/17	2,361.31
WESTAIR GASES & EQUIPMENT INC	WELDING GLOVES, HANDLE WITH A CURVED / PW	332258	12/19/17	76.42
WILSON LANGUAGE TRAINING	WILSON STUDENT WORKBOOKS 1A/1B - LIBRARY	332259	12/19/17	108.00
WILSON, R	EDUCATION REIMBURSEMENT	332260	12/19/17	285.36
YBARRA, A	EDUCATION REIMBURSEMENT	332261	12/19/17	601.13
NAN MCKAY AND ASSOCIATES INC	HCV / HS SEMINAR & TRAINING 07/10/2017	332262	12/19/17	1,192.50
NOTEWARE, D	RETIREE HEALTH BENEFITS / DECEMBER	332263	12/19/17	120.00

A/P Total 718,286.96

WIRED PAYMENTS

PAYCHEX BENEFIT TECHNOLOGIES	BENETRAC ESR SERVICES BASE FEE DEC 2017	203683	12/15/17	506.00
BANK OF AMERICA	LEASE AGREEMENT DEC 2017	929037	12/15/17	35,017.50
BANK OF AMERICA	LEASE AGREEMENT DEC 2017	929040	12/15/17	144,293.05
ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET NOVEMBER 2017	945456	12/13/17	28,640.47
DEEPNET SECURITY	ST200 SAFE ID CLASSIC	945474	12/13/17	359.00
ADMINSURE INC	W/C ACCT REPLENISHMENT NOV 2017	945681	12/13/17	62,678.26
CITY NATIONAL BANK	LEASE PAYMENT #31 ENERGY PROJECT	945966	12/13/17	43,101.10

SECTION 8 HAPS

Start Date	End Date	
12/13/2017	12/19/2017	5,373.78

PAYROLL

Pay period	Start Date	End Date	Check Date	
26	12/5/2017	12/18/2017	12/27/2017	1,066,952.03

GRAND TOTAL

\$2,105,208.15

Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

MARK ROBERTS, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

ALBERT MENDIVIL, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

JERRY CANO, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 6th OF FEBRUARY, 2018.

AYES_____

NAYS_____

ABSENT_____

The following page(s) contain the backup material for Agenda Item: Warrant Register #26 for the period of 12/20/17 through 12/26/17 in the amount of \$8,637.00. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #26 for the period of 12/20/17 through 12/26/17 in the amount of \$8,637.00. (Finance)

PREPARED BY: Karla Apalategui, Accounting Assistant

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: _____

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 12/20/17 through 12/26/17.

Consistent with Department of Finance, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
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No Warrants Issued for the Week of 12/20/17 – 12/26/17

FINANCIAL STATEMENT:

APPROVED: _____ **FINANCE**

ACCOUNT NO.

APPROVED: _____ **MIS**

Warrant total \$8,637.00.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION** ☐ **FINAL ADOPTION** ☐

STAFF RECOMMENDATION:

Ratify warrants totaling \$8,637.00

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Warrant Register #26



WARRANT REGISTER #26
12/26/2017

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
	NO WARRANTS ISSUED			
	THE WEEK OF 12/20/2017 - 12/26/2017			
			A/P Total	0.00
SECTION 8 HAPS	Start Date	End Date		
	12/20/2017	12/26/2017		8,637.00
		GRAND TOTAL		\$ 8,637.00

Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.

MARK ROBERTS, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

ALBERT MENDIVIL, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

JERRY CANO, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 6th OF FEBRUARY, 2018.

AYES_____

NAYS_____

ABSENT_____

The following page(s) contain the backup material for Agenda Item: Public Hearing and Adoption of an Ordinance of the City Council of the City of National City adopted pursuant to Government Code Section 65858 as an Urgency Measure to take effect immediately, extending for one year a moratorium prohibiting the issuance o

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE: Public Hearing and Adoption of an Ordinance of the City Council of the City of National City adopted pursuant to Government Code Section 65858 as an Urgency Measure to take effect immediately, extending for one year a moratorium prohibiting the issuance of massage technician permits or licenses, and prohibiting new massage establishments from locating within the City of National City.

PREPARED BY: Nicole Pedone

DEPARTMENT: Senior Assistant City Attorney

PHONE: 336-4221

APPROVED BY: 

EXPLANATION:

On March 7, 2017, the City Council enacted Ordinance No. 2017-2433 as an Urgency Ordinance, to take effect immediately, imposing a 45-day moratorium prohibiting the issuance of massage technician permits or licenses, and prohibiting new massage establishments from locating within the City. The moratorium was extended for 10 months and 15 days on April 18, 2017. The moratorium will expire on March 8, 2018, unless extended. An ordinance is proposed to extend the moratorium for one year. This public hearing, which has been noticed as required by law, is a required preliminary step toward adopting the ordinance.

The moratorium was enacted due to the need for the City to revise its regulations and procedures pertaining to massage technician permits and massage establishments. City staff continues to work diligently to prepare the needed research and revisions since enactment of Ordinance No. 2017-2433 and the first extension on April 18, 2017; additional time is required to complete these revisions. Pursuant to Government Code section 65858, any extension requires a four-fifths vote for adoption and this is the last permissible extension.

At its meeting on January 16, 2018, the City Council adopted Resolution 2018-3 approving the issuance of a Written Report on this subject. In addition to the proposed ordinance, a copy of The Written Report approved by the City Council on January 16, 2018 and original memorandum dated March 7, 2017 are attached.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

N/A

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Conduct public hearing and adopt proposed Ordinance.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Notice of Public Hearing
Written Report to the City Council
Memorandum to City Council dated March 7, 2017
Proposed Ordinance

REPORT TO THE CITY COUNCIL

MORATORIUM ORDINANCE PROHIBITING THE ISSUANCE OF MASSAGE TECHNICIAN PERMITS OR LICENSES FOR A PERIOD OF 10 MONTHS AND 15 DAYS, AND PROHIBITING NEW MASSAGE ESTABLISHMENTS FROM LOCATING WITHIN THE CITY FOR A PERIOD OF 10 MONTHS AND 15 DAYS

(Government Code Section 65858(d))

On March 7, 2017, the City Council enacted Ordinance No. 2017-2433 as an urgency ordinance, to take effect immediately, imposing a 45-day moratorium prohibiting the issuance of massage technician permits or licenses, and prohibiting new massage establishments from locating within the City. The police department had reported an increase in prostitution activity at several massage businesses in the City, including instances of human trafficking. On April 4, 2017, the City Council adopted Resolution No. 2017-43 approving and authorizing issuance of a written report pertaining to a moratorium ordinance prohibiting the issuance of massage technician permits or licenses and prohibiting new massage establishments from locating within the City. City staff inventoried all of the massage businesses in the City and took appropriate steps to ensure the illegal massage businesses shut down and vacated the premises. On April 18, 2017, the City Council held a public hearing, and after oral and documentary evidence was heard adopted an urgency ordinance to extend for an additional period of 10 months and 15 days, the 45 day moratorium established by Ordinance No. 2017-2433. Since the last extension of that Ordinance, the City has taken the following actions to alleviate the condition that led to the adoption of the ordinance:

1. Review and Amendment of Current National City Municipal Code regulations: The City Attorney's Office continues to revise Chapters 10.70 (Police Regulated Business Regulations), 10.79 (Massage Establishments), and 18.30 (Adult Oriented Businesses). The City Attorney's Office has had regular meetings, and continues to have regular meetings, with the Planning Department, Finance Department, Neighborhood Services, Fire, and Police, to discuss properly zoning massage establishments and establishing a Conditional Use Permit requirement. This review also includes a review of other city municipal codes related to massage businesses within San Diego County. The City has also consulted, and continues to consult, with the California Massage Therapy Council ("CAMTC") as the new ordinance gets drafted. CAMTC is the agency tasked, by the California state legislature, to certify all massage professions in California and set the minimum standards for training and curriculum for massage professionals in California.

2. Drafting and Establishing an Application and Other Procedures for Opening a Massage-Related Business in the City: The City Attorney's Office met with other City Departments, including Planning, Finance, Neighborhood Services, Police and Fire to draft and review a new application procedure for massage businesses, including fee schedules related to obtaining businesses licenses and the required permits for these types of businesses. The City is currently undergoing a City-wide fee schedule study and update which has not yet been completed. It is estimated that this fee study and update will be completed by the summer of 2018. It is imperative that the fee study be completed before the new massage regulations and procedures go into effect. Our current municipal code only allows for the City to charge an annual business license fee for these types of businesses which does not cover the cost of regulating these businesses by various City departments. The comprehensive fee study will include a regulatory fee that will aid law enforcement and other city departments in investigating and regulating these types of businesses.
3. Review of Inquires/Pending Permit Applications: Since the last report to City Council on April 4, 2017, and since the last extension of the moratorium on April 18, 2017, there has been one inquiry to the City's Finance Department about a license or permit for a massage establishment. This inquiry was by an existing massage-related business named "So Relaxed" located inside Plaza Bonita Mall. This business is currently operating and approved as a kiosk in the mall with massage chairs and for foot reflexology at a store front in the mall. They have inquired about expanding their business. The City Attorney's Office has been in contact with the business owner regarding the moratorium and the new pending regulations.

Summary

The moratorium was originally enacted due to the need for the City to revise its regulations pertaining to massage technician permits and massage establishments so that it is in accordance with State law. City staff is preparing a new ordinance which includes revisions in three different chapters of the National City Municipal Code. This includes a revision in the City's land use code which will trigger Planning Commission approval. The City Attorney's Office continues to collaborate with several different City departments to draft and review a new application procedure for these types of businesses which will include the CUP process and permit fees. The City is currently undergoing a comprehensive fee study which is expected to be completed in the summer of 2018. The fee schedule will, among other things, provide for the appropriate fees to open up a massage related business, i.e. business license fees, regulatory fees, and police permit fees. City staff needs additional time to finish drafting a comprehensive ordinance pertaining to massage related establishments, a new application procedure for these types of businesses and to receive the final fee study.

Mayor
Ron Morrison

Council Members
Jerry Cano
Alejandra Sotelo-Solis
Mona Rios
Albert Mendivil



Interim City Attorney
George H. Elser, III

Senior Assistant City Attorney
Nicole Pedone

Deputy City Attorney
Roberto M. Contreras

MEMORANDUM

TO: Mayor and City Council

DATE: March 7, 2017

FROM: Interim City Attorney

SUBJECT: Interim Ordinance to Adopt as an Urgency Measure a Moratorium Prohibiting Issuance of a Massage Technician Permits or Licenses and Prohibiting New Massage Establishments from Locating within the City for a Period of 45 Days

INTRODUCTION

The proposed interim ordinance would impose a moratorium prohibiting the issuance of new massage technician permits, and prohibiting new massage establishments from locating within the City for a period of 45 days. The interim ordinance requires a 4/5 vote of the City Council for approval, and would take effect immediately.

DISCUSSION

Current National City Massage Establishment Regulations

The permitting, regulation, and zoning provisions pertaining to massage technicians and massage establishments in National City are currently found in Chapters 10.70, 10.79, and 18.30 of the Municipal Code.

Chapter 10.70, titled "Police Regulated Business Regulations", establishes procedures for permit issuance and regulation of certain businesses and activities as "police regulated" for the protection of the public health, safety, and welfare. Businesses and activities regulated by this Chapter are identified in Chapters 10.71 through 10.79, and include massage technicians and massage establishments. Section 10.70.010(A) recites that such businesses and activities have a higher degree of potential for one or more types of illicit activity, including prostitution and disorderly conduct. In addition to a business license and other required permits, massage technicians and massage establishments must obtain a permit from the Chief of Police, after undergoing an application process that may include fingerprinting and furnishing a criminal history.

Chapter 10.79, titled "Massage Establishments", provides "for the orderly regulation of massage establishment businesses in the City in order to prevent the facilitation of prostitution". Chapter

10.79 requires any massage technician or massage establishment to obtain a massage technician permit or massage operator permit, respectively, in accordance with the procedures set forth in Chapter 10.70. Additionally, Chapter 10.79 sets forth minimum operating and facilities requirements for massage establishments, including the requirement that facilities contain at least one tub or shower, and that during hours of operation massage technicians be fully covered from a point not to exceed four inches above the center of the kneecap to the base of the neck.

Chapter 18.30, titled "Specific Use Regulations," and more specifically, Section 18.30.030, titled "Adult-oriented businesses," are found in Title 18, which contains the zoning and land use regulations of the Municipal Code. Section 18.30.010 states the purpose of Chapter 18.30 is to provide standards for certain land uses and activities that require special standards to mitigate their potential adverse impacts. "Massage parlors" are included as "adult-oriented businesses" within the scope of the regulations set forth in Section 18.30.030. That section provides that all adult-oriented businesses, including massage parlors, are prohibited from being established or operated within 1,500 feet of another adult-oriented business, within 1,500 feet of any school or park within the City, or within 1,000 feet of any residentially-zoned property. The section further provides that massage parlors are permitted only upon issuance of a conditional use permit (CUP).

State Law Authorizing City Regulation of Massage Establishments

The City derives its authority to regulate massage establishments from Article XI, Section 7 of the California Constitution, as well as from statutes enacted by the State Legislature, including Section 4600 et seq. of the California Business & Professions Code, and Section 51030 et seq. of the California Government Code.

Section 4600 et seq. of the Business & Professions Code is commonly known as the Massage Therapy Act (the "Act"). Section 4600.5 of the Act states that it is the intent of the State Legislature that broad control over land use in regulating massage establishments be vested in local governments, and that the requirements and practice of the profession of massage therapy remain a matter of statewide concern. Section 4602 creates the California Massage Therapy Council, which is authorized to exercise extensive control over the licensing and regulation of individuals engaged in the practice of massage. Section 4603.1 states that local governments shall impose and enforce only "reasonable and necessary" fees and regulations on massage businesses and massage establishments. Section 4612 provides that a city shall not enact or enforce an ordinance that conflicts with the Act, or with Section 51034 of the Government Code.

The Massage Therapy Act was enacted as urgency legislation by the State Legislature in January, 2009, to take effect immediately. Certain provisions of the Act were amended more recently, first in 2014 and again in 2016, certain of which amendments were inconsistent with the original version of the Act, with the latest amendment taking effect January 1, 2017. This frequent change in statutory provisions has created some uncertainty concerning the manner and degree to which cities may regulate massage technicians and massage establishments.

In addition to the Massage Therapy Act, city control over massage businesses is governed by Section 51030 et seq. of the Government Code. While Section 51030 provides that the legislative body of a city may enact an ordinance which provides for the licensing of the business of massage, Section 51034 sets forth 11 specific types of conduct which a city *cannot* engage in

when regulating massage businesses. These provisions create inconsistencies with certain current provisions of the Municipal Code, including the following:

- Section 51034(c)(2) prohibits a city from defining a massage establishment as an “adult business;” Section 18.30.030(B)(14) of the Municipal Code includes “massage parlor” within the definition of “adult-oriented business,” and imposes special regulations on such adult-oriented businesses.
- Section 51034(c)(4) prohibits a city from requiring a massage establishment to have a shower or a bath; Section 10.79.070(G) of the Municipal Code requires massage establishments to have a minimum of one tub or shower.
- Section 51034(c)(8) prohibits a city from imposing a requirement that a person certified under the Massage Therapy Act undergo a criminal background check or submit fingerprints to obtain a massage permit or license; Section 10.70.030(A) of the Municipal Code provides that the Chief of Police may require a person applying for a permit to practice massage or operate a massage establishment to be fingerprinted; Section 10.70.030(B) provides that an applicant shall submit information regarding arrests; and Section 10.79.060 sets forth additional requirements such as a certificate from a medical doctor and that a massage technician shall furnish fingerprints.
- Section 51034(c)(10) prohibits a city from imposing a dress code requirement on a person certified pursuant to the Act in excess of those already imposed by the Act; Section 10.79.080(K) of the Municipal Code requires massage technicians to be fully covered from a point not to exceed four inches above the center of the kneecap to the base of the neck, a stricter dress requirement than that set forth in the Act.

The Necessity for Amending the Municipal Code

As discussed above, there are certain provisions of the Municipal Code applicable to the regulation of massage technicians and massage establishments that are clearly inconsistent with the binding mandates and prohibitions of state law in this field of regulation. A valid ordinance regulating massage technicians and massage establishments is necessary to protect the public health, safety, and welfare, in that such an ordinance will ensure that legitimate businesses of massage are operated in a clean and sanitary manner, and that problems with lewd conduct and prostitution do not arise with businesses that are not legitimate.

Why an Urgency Ordinance Imposing an Immediate Moratorium is Being Proposed

The Police Department reports a recent increase in prostitution activity at several business locations throughout the City operating under the guise of massage establishments. At least six (6) of such illegitimate massage establishments have been identified, all operating without the required City permits or licenses and in violation of numerous local and state laws. A well-drafted ordinance, consistent with state law, is required to prevent such illegitimate businesses from being established in the City, as well as to ensure that legitimate massage businesses are operated in a clean and sanitary manner.

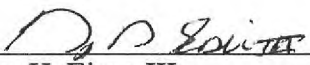
Because sufficient time is needed to prepare such an ordinance, it is recommended that the City Council enact an urgency ordinance imposing a moratorium upon the issuance of any new license or permit for the practice of massage, or the establishment of any new massage establishment, within the City. If approved by the City Council, the moratorium would not affect persons currently engaged in the lawful practice of massage, or lawful massage establishments currently operating within the City. The City Council has enacted moratoriums in the past affecting several land uses, including payday lenders, fast food restaurants, adult-oriented businesses, and previously in 2010, massage establishments.

Statutory Authority for Moratorium Ordinance

Section 65858 of the California Government Code authorizes a city, in order to protect the public health, safety, and welfare, and without following the procedures otherwise required, to adopt an interim ordinance as an urgency measure to take effect immediately, prohibiting any uses that may be in conflict with a zoning proposal that the legislative body, planning commission, or the planning department is considering or studying or intends to study within a reasonable time. The initial period that the interim ordinance remains in effect is 45 days. After issuance of a written report detailing the measures taken to alleviate the condition which led to the adoption of the interim ordinance, and a public hearing, the interim ordinance may be extended for additional periods of 10 months and 15 days, and subsequently for one year. A four-fifths vote of the City Council is required to pass the ordinance in each case.

CONCLUSION

It is recommended that the City Council approve an interim ordinance on an urgency basis prohibiting the issuance of new massage technician permits, and prohibiting new massage establishments from locating within the City for a period of 45 days.


George H. Eiser, III
Interim City Attorney

Attachment

ORDINANCE NO. 2018 – 2445

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858
AS AN URGENCY MEASURE TO TAKE EFFECT IMMEDIATELY,
EXTENDING FOR ONE YEAR A MORATORIUM PROHIBITING
THE ISSUANCE OF MASSAGE TECHNICIAN PERMITS OR
LICENSES AND PROHIBITING NEW MASSAGE ESTABLISHMENTS
FROM LOCATING WITHIN THE CITY OF NATIONAL CITY

WHEREAS, the permitting, regulation, and zoning provisions pertaining to massage establishments within the City of National City are governed by Municipal Code Chapters 10.70 (Police Regulated Business Regulations), 10.79 (Massage Establishments), and 18.30 (Adult Oriented Businesses); and

WHEREAS, the City is authorized to regulate massage establishments pursuant to Article XI, Section 7 of the California Constitution, as well as by state law, including Section 4600, et seq., of the California Business and Professions Code, and Section 51030, et seq., of the California Government Code; and

WHEREAS, Section 4600, et seq., of the California Business and Professions Code, commonly known as the Massage Therapy Act (the "Act"), creates the California Massage Therapy Council, contains extensive provisions pertaining to the licensing and regulation of individuals engaged in the practice of massage, and while it states that a city may enact an ordinance which provides for the licensing of the business of massage, it further states that no city shall enact or enforce any ordinance that conflicts with the Act or with Section 51034 of the California Government Code, thus creating a partially preemptive effect of state law upon municipal regulation of massage establishments; and

WHEREAS, the Massage Therapy Act was enacted as urgency legislation by the State Legislature in January, 2009, and certain provisions of the Act were amended in 2014 and 2016, certain of which amendments were inconsistent with the original version of the Act, and the latest of which amendments was effective January 1, 2017, all of which created some uncertainty concerning the manner and degree to which cities may regulate massage technicians and massage establishments; and

WHEREAS, Section 51034 of the Government Code was amended by the State Legislature in 2016, effective January 1, 2017, creating inconsistencies between the prohibitory provisions of that section and certain current provisions of the Municipal Code, including the following:

- Section 51034(c)(2) prohibits a city from defining a Massage Establishment as an "adult business", and regulating a massage establishment as an adult entertainment; Section 18.30.030(8)(14) of the Municipal Code includes "massage parlor" within the definition of "adult-oriented business", and imposes special regulations on adult-oriented businesses.
- Section 51034(c)(4) prohibits a city from requiring a massage establishment to have a shower or bath; Section 10.79.070(G) of the Municipal Code requires massage establishments to have a minimum of one tub or shower.

- Section 51034(c)(8) prohibits a city from imposing a requirement that a person certified under the Massage Therapy Act undergo a criminal background check or submit fingerprints to obtain a massage permit or license; Section 10.70.030(A) of the Municipal Code provides that the Chief of Police may require a person applying for a permit to practice massage or operate a massage establishment to be fingerprinted; Section 10.70.030(8) provides that an applicant shall submit information regarding arrests; and Section 10.79.060 sets forth additional requirements such as a certificate from a medical doctor and that a massage technician shall furnish fingerprints.
- Section 51034(c)(10) prohibits a city from imposing a dress code requirement on a person certified pursuant to the Massage Therapy Act in excess of those already imposed by the Act; Section 10.79.080(K) of the Municipal Code requires massage technicians to be fully covered from a point not to exceed four inches above the center of the kneecap to the base of the neck, which is a stricter requirement than what is set forth in the Act; and

WHEREAS, the Police Department reported a recent increase in prostitution activity at several business locations throughout the City operating under the guise of massage establishments, with at least six (6) of such establishments engaged in such activity and operating without the required City permits or licenses, and in violation of numerous other local and state laws; and

WHEREAS, the City Council finds it necessary and appropriate to review and consider the provisions of the legislation pertaining to massage establishments and technicians enacted over recent years by the State Legislature; and

WHEREAS, the City Council finds that a valid ordinance regulating massage establishments and massage technicians is necessary to protect the public health, safety, and welfare, in that such an ordinance will ensure that to the greatest extent possible, massage businesses will be conducted in a clean and sanitary manner, and in such a way that the operation of such businesses does not involve prostitution and lewd conduct; and

WHEREAS, the City Council finds that there is a current and immediate threat to the public health, safety, and welfare of the city and its residents resulting from the absence of a local ordinance that follows state mandates and prohibitions relating to massage establishments and technicians, and that the location of such establishments, and the issuance of permits and other entitlements for such establishments, would result in a threat to the public health, safety, and welfare if the City's massage regulatory ordinances were to be found invalid; and

WHEREAS, at their regular public hearing held on March 7, 2017, the City Council adopted, as an urgency interim ordinance, Ordinance No. 2010-2433, enacting a moratorium for 45 days prohibiting the issuance of massage technician permits and prohibiting new massage establishments from locating within the City; and

WHEREAS, on April 4, 2017, the City Council adopted Resolution No. 2017-43 Approving and Authorizing Issuance of a Written Report Pertaining to a Moratorium Ordinance Prohibiting the Issuance of Massage Technician Permits or Licenses and Prohibiting New Massage Establishments from Locating within the City; and

WHEREAS, on April 18, 2017, the City Council held a public hearing, at which time oral and documentary evidence was heard, and adopted Ordinance No. 2017-2435, an urgency ordinance to extend for an additional period of 10 months and 15 days the 45 day moratorium established by Ordinance No. 2017-2433; and

WHEREAS, on January 16, 2018, the City Council adopted Resolution No. 2018-03 Approving and Authorizing Issuance of a Written Report Pertaining to a Moratorium Ordinance Prohibiting the Issuance of Massage Technician Permits or Licenses and Prohibiting New Massage Establishments from Locating within the City; and

WHEREAS, on February 6, 2018, the City Council held a public hearing, at which time oral and documentary evidence was heard, to consider adopting an urgency ordinance to extend for an additional period of one year the 10 months and 15 day moratorium established by Ordinance No. 2017-2435; and

WHEREAS, the City Council finds it essential to protect the health, safety, and welfare of the citizens of the City of National City to extend for an additional period of one year the moratorium established by Ordinance No. 2017-2435 prohibiting the issuance of massage technician permits and prohibiting new massage establishments from locating within the City; and

WHEREAS, after appropriate study and legislative review, the City Council intends to adopt an ordinance that would apply throughout the city for the proper regulation of massage establishments and technicians as soon as practicable, and directs the City Attorney's Office to commence the review necessary for the adoption of such proper regulations.

NOW, THEREFORE, the City Council of the City of National City does hereby ordain as follows:

Section 1. For a period of one year from the effective date of this Ordinance, no massage technician permit shall be issued; no massage establishment not currently existing lawfully within the city shall be located within the city; no building permit, certificate of occupancy, establishment permit, police-regulated business permit, business license, conditional use permit, nor any other permit or entitlement for a massage establishment or massage technician shall be issued; no construction shall take place relating to a massage establishment; and no construction shall take place within the city relating to the location, development, or approval of any massage establishment.

Section 2. This Ordinance is adopted as an urgency ordinance necessary for the immediate preservation of the public health, safety, and welfare within the meaning of Section 65858 of the Government Code, and shall take effect immediately.

Section 3. The City Council hereby directs the City staff to engage in studies and procedures necessary for the adoption or regulations governing massage technicians permits and the locating of massage establishments from locating within the City.

Section 4. If any portion of this Ordinance is found to be invalid, it is the intention of the City Council that the remaining valid provisions of the Ordinance be severed from the invalid provisions and remain in full force and effect.

PASSED and ADOPTED this 6th day of February, 2018.

Ron Morrison, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones
City Attorney

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) awarding a contract to PAL General Engineering, Inc. in the not-to-exceed amount of \$355,404 for the Wilson Avenue and W. 22nd Street Improvements Project, CIP No. 17-19; 2) authorizing a 15%

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City, 1) awarding a contract to PAL General Engineering, inc. in the not-to-exceed amount of \$355,404 for the Wilson Avenue and W. 22nd Street Improvements Project, CIP No. 17-19; 2) authorizing a 15% contingency in the amount of \$53,310.60 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.

PREPARED BY: Jose Lopez, Assistant Engineer - Civil

PHONE: 619-336-4312

DEPARTMENT: Engineering/Public Works

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

Contract Award (funds available through prior City Council appropriations)

296-409-500-598-1597: \$355,404.00

15% Contingency (funds available through prior City Council appropriations)

296-409-500-598-1597: \$53,310.60

No additional appropriations required.]

ENVIRONMENTAL REVIEW:

CEQA Notice of Categorical Exemption will be filed with County Recorder's Office prior to starting construction.

ORDINANCE: **INTRODUCTION:** ☐

FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt Resolution awarding a contract to PAL General Engineering, Inc. in the not-to-exceed amount of \$355,404 for the Wilson Avenue and W. 22nd Street Improvements Project, CIP No. 17-19.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation
2. Bid Opening Summary
3. Three Lowest Bidders Summary
4. Resolution

EXPLANATION

The project includes pedestrian, bicycle and streetscape enhancements along Wilson Avenue and W. 22nd Street in National City. Specific improvements include construction of new sidewalk, Americans with Disabilities Act (ADA) curb ramps, asphalt and concrete paving, Class II bicycle facilities, lighting, and landscaping. The proposed improvements will provide pedestrian and bicycle connections from the Paradise Creek Housing project (formerly known as Westside Infill Transit Oriented Development) and 24th Street Trolley Station to the planned Paradise Creek Park expansion site located on the west side of Paradise Creek adjacent to Harding Avenue. This project is fully funded through a State Strategic Growth Council Affordable Housing and Sustainable Communities (AHSC) Program grant.

On December 20, 2017, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors. On December 22, 2017 and December 29, 2017, the bid solicitation was advertised in local newspapers.

On January 15, 2018, seven (7) bids were received electronically on PlanetBids by the 2:00 p.m. deadline. Bid results were available immediately after the 2:00 p.m. deadline. PAL General Engineering, Inc. (PAL) was the apparent lowest bidder with a total bid amount of \$355,404 as the basis of award. Upon review of all documents submitted, PAL's bid was deemed responsive.

Based on some performance issues by PAL on two previous National City capital improvement projects, 8th Street Smart Growth Revitalization and Community Corridors, both of which were completed in 2015, staff held a "responsibility" hearing with PAL on January 23, 2018. The purpose of the hearing was to ask questions and gather information regarding PAL's performance on other capital projects they completed over the past three years, current workload, financial stability, experience of the project team assigned to complete the Wilson Avenue and W. 22nd Street Improvements Project, and other indicators to determine whether or not PAL is responsible and capable of completing the project on schedule per the plans and specifications.

Based on review of the information provided by PAL at the responsibility hearing, additional documentation requested from the hearing, and extensive reference checks on similar projects completed by PAL over the past three years, staff has determined that PAL is the lowest responsible bidder qualified to perform the work as described in the project specifications.

Therefore, staff recommends awarding a contract to PAL General Engineering, Inc. in the not-to-exceed amount of \$355,404. Staff also recommends authorizing a 15% contingency in the amount of \$53,310.60 to address any unforeseen conditions that may arise.

Attached are the bid opening summary sheet and a line item summary of the three lowest bidders for reference. Construction is estimated to be completed in June 2018. Updates will be provided on the City's CIP website at: nationalcityprojects.com.



BID OPENING RESULTS

NAME: WILSON AVENUE AND W. 22ND STREET IMPROVEMENTS
CIP NO: 17-19
DATE: Monday, January 15, 2018
TIME: 2:00 P.M.
ESTIMATE: \$310,000
PROJECT ENGINEER: Stephen Manganiello

NO.	BIDDER'S NAME	BID AMOUNT	ADDENDA	BID SECURITY - BOND
1.	PAL General Engineering, Inc. 10675 Treena Street, Suite 103 San Diego, CA 92131	\$355,404.00	N/A	Bond
2.	Just Construction, Inc. 3103 Market Street San Diego, CA 92102	\$369,854.70	N/A	Bond
3.	Tri-Group Construction and Development, Inc. 9580 Black Mountain Rd. Suite L, San Diego, CA 92126	\$412,821.00	N/A	Bond
4.	Blue Pacific Engineering & Construction 7330 Opportunity Rd #J San Diego, CA 92111	\$467,298.00	N/A	Bond
5.	LC Paving & Sealing Inc 330 Rancheros Dr #208 San Marcos, CA 92069	\$478,429.38	N/A	Bond
	Miramar General Engineering 5595 Magnatron Blvd, Suite P San Diego, CA 92111	\$485,998.00	N/A	Bond
6.	Eagle Paving 13915 Danielson Street Poway, CA 92064	\$559,718.00	N/A	Bond

Bid Results for Project Wilson Avenue and W. 22nd Street Improvements, CIP No. 17-19

				PAL General Engineering, Inc.		Just Construction, Inc.		Tri Group Construction	
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
Base Bid									
1	Mobilization	LS	1	\$6,200.00	\$6,200.00	\$10,700.00	\$10,700.00	\$12,000.00	\$12,000.00
2	Traffic Control	LS	1	\$29,650.00	\$29,650.00	\$9,095.00	\$9,095.00	\$6,500.00	\$6,500.00
3	Construction Survey Staking	LS	1	\$8,568.00	\$8,568.00	\$8,399.50	\$8,399.50	\$6,500.00	\$6,500.00
4	Water Pollution Control	LS	1	\$4,500.00	\$4,500.00	\$1,605.00	\$1,605.00	\$6,500.00	\$6,500.00
5	Utility Coordination	LS	1	\$3,500.00	\$3,500.00	\$1,605.00	\$1,605.00	\$1,000.00	\$1,000.00
6	Clearing and Grubbing	LS	1	\$23,000.00	\$23,000.00	\$26,750.00	\$26,750.00	\$40,000.00	\$40,000.00
7	Unclassified Excavation	CY	52	\$85.00	\$4,420.00	\$85.60	\$4,451.20	\$50.00	\$2,600.00
8	Remove Asphalt pavement and base	SF	988	\$11.00	\$10,868.00	\$3.70	\$3,655.60	\$2.00	\$1,976.00
9	Construct Asphalt Concrete Pavement 4" AC	TON	24	\$500.00	\$12,000.00	\$374.50	\$8,988.00	\$350.00	\$8,400.00
10	Untreated aggregate base 9" AB	CY	27	\$80.00	\$2,160.00	\$85.60	\$2,311.20	\$100.00	\$2,700.00
11	PCC Driveway Approach (SDRSD G-14B)	SF	1,582	\$10.00	\$15,820.00	\$15.00	\$23,730.00	\$10.00	\$15,820.00
12	6" PCC Curb and Gutter (SDRSD G-2)	LF	443	\$38.00	\$16,834.00	\$28.90	\$12,802.70	\$37.00	\$16,391.00
13	PCC Cross Gutter (SDRSD G-12)	SF	162	\$26.00	\$4,212.00	\$15.00	\$2,430.00	\$22.00	\$3,564.00

				PAL General Engineering, Inc.		Just Construction, Inc.		Tri Group Construction	
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
14	4" PCC Sidewalk (SDRSD G-7)	SF	2,645	\$6.00	\$15,870.00	\$8.60	\$22,747.00	\$10.00	\$26,450.00
15	Curb Ramp, Type A (SDRSD G-27)	EA	1	\$3,500.00	\$3,500.00	\$3,745.00	\$3,745.00	\$5,000.00	\$5,000.00
16	Replace existing utility covers with traffic rated covers and adjust to grade	EA	6	\$1,000.00	\$6,000.00	\$856.00	\$5,136.00	\$300.00	\$1,800.00
17	Signing and Striping	LS	1	\$6,043.00	\$6,043.00	\$6,420.00	\$6,420.00	\$5,500.00	\$5,500.00
18	Furnish and Install 15 ft. Single Street Light Pole with LED Luminaire	EA	3	\$6,773.00	\$20,319.00	\$7,329.50	\$21,988.50	\$6,700.00	\$20,100.00
19	Furnish and Install 23 ft. Double Street Light Pole with LED Luminaires	EA	5	\$14,122.00	\$70,610.00	\$17,655.00	\$88,275.00	\$19,000.00	\$95,000.00
20	Furnish and Install 2" PVC electrical conduit	LF	1,250	\$34.00	\$42,500.00	\$17.10	\$21,375.00	\$40.00	\$50,000.00
21	Furnish and Install electrical wiring for street lighting	LS	1	\$7,935.00	\$7,935.00	\$6,955.00	\$6,955.00	\$9,100.00	\$9,100.00
22	Furnish and Install #5 pull box	EA	9	\$605.00	\$5,445.00	\$695.50	\$6,259.50	\$380.00	\$3,420.00
23	Furnish and Install Disconnect Enclosure and Load Center, Relocate and Reconnect Existing Irrigation Controller.	LS	1	\$3,450.00	\$3,450.00	\$5,885.00	\$5,885.00	\$5,000.00	\$5,000.00
24	Landscape Planting	LS	1	\$9,500.00	\$9,500.00	\$37,450.00	\$37,450.00	\$21,000.00	\$21,000.00
25	Irrigation Systems	LS	1	\$5,000.00	\$5,000.00	\$16,745.50	\$16,745.50	\$39,000.00	\$39,000.00
26	4 Months Landscape Maintenance	LS	1	\$12,500.00	\$12,500.00	\$5,350.00	\$5,350.00	\$2,500.00	\$2,500.00

				PAL General Engineering, Inc.		Just Construction, Inc.		Tri Group Construction	
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
27	Field Orders	LS	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
				Grand Total	\$355,404.00		\$369,854.70		\$412,821.00

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) authorizing the Mayor to execute Program Supplement Agreement (PSA) No. F016 with the State of California Department of Transportation (Caltrans) for the Citywide Traffic Signal and ADA Impro

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City, 1) authorizing the Mayor to execute Program Supplement Agreement (PSA) No. F016 with the State of California Department of Transportation (Caltrans) for the Citywide Traffic Signal and ADA Improvements Project to allow for reimbursement of up to \$810,650 in eligible project expenditures through the Highway Safety Improvement Program (HSIP); and 2) authorizing the establishment of an Engineering Grants Fund appropriation of \$810,650 and corresponding revenue budget.

PREPARED BY: Jose Lopez, Assistant Engineer - Civil

PHONE: 619-336-4312

DEPARTMENT: Engineering/Public Works

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

ACCOUNT NO.

HSIP Grant - \$810,650
Revenue Account No. 296-06043-3498
Expenditure Account No. 296-409-500-598-6043
Citywide Traffic Signal and ADA Improvements
Project - HSIP Grant

APPROVED:  Finance

APPROVED: _____ MIS

Local Match - \$91,184
Expenditure Account No. 001-409-500-598-6573
(Traffic Safety Enhancements)
Local match appropriated through FY 2018 CIP budget

ENVIRONMENTAL REVIEW:

Caltrans Determination of Categorical Exclusion under 23 CFR 771.117(c): activity (c)(8), approved March 23, 2015, and revalidated January 12, 2017.

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt Resolution authorizing the Mayor to execute PSA No. F016 with Caltrans for the Citywide Traffic Signal and ADA Improvements Project to allow for reimbursement of up to \$810,650 in HSIP grant funds.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation
2. Program Supplement Agreement
3. Resolution

Explanation

On November 11, 2013, the California Department of Transportation (Caltrans) awarded an \$810,650 Highway Safety Improvement Program (HSIP) grant for the Citywide Traffic Signal and ADA Improvements Project. Caltrans has allocated \$810,650 for construction. There is a local match requirement of \$91,184, which is available in the Traffic Safety Enhancements CIP expenditure account through FY 2018 CIP budget appropriations.

This project includes installing pedestrian crosswalk striping, Americans with Disabilities Act (ADA) enhancements and traffic signal equipment at the following 7 intersections:

- Palm Avenue & E. 4th Street
- Palm Avenue & Division Street
- "D" Avenue & E. 18th Street
- "D" Avenue & E. 24th Street
- Euclid Avenue & Division Street
- National City Blvd & 16th Street
- 2nd Ave & Sweetwater Road

City Council Resolution authorizing the Mayor to execute Program Supplement Agreement No. F016 to Administering Agency-State Master Agreement No. 11-5066F15 is required to allow for reimbursement of eligible project expenditures through the Federal HSIP grant.

DEPARTMENT OF TRANSPORTATION

Division of Local Assistance
1120 N STREET
P.O. BOX 942874, MS# 1
Sacramento, CA 94274-0001
TTY 711
(916) 654-3883
Fax (916) 654-2408



October 18, 2017

File : 11-SD-0-NATC
HSIPL-5066(029)
9 Intersections throughout National
City

Mr. Stephen Manganiello
Director of Public Works
City of National City
1243 National City Boulevard
National City, CA 91950-4301

Dear Mr. Manganiello:

Enclosed are two originals of the Program Supplement Agreement No. 016-F to Administering Agency-State Agreement No. 11-5066F15 and an approved Finance Letter for the subject project. Please retain the signed Finance Letter for your records.


Please note that federal funding will be lost if you proceed with future phase(s) of the project prior to getting the "Authorization to Proceed" with that phase.

Please review the covenants and sign both copies of this Agreement and return both to this office, Office of Project Implementation - MS1 within 90 days from the receipt of this letter. If the signed Agreements are not received back in this office within 90 days, funds will be disencumbered and/or deobligated. Alterations should not be made to the agreement language or funding. ATTACH YOUR LOCAL AGENCY'S CERTIFIED AUTHORIZING RESOLUTION THAT CLEARLY IDENTIFIES THE OFFICIAL AUTHORIZED TO EXECUTE THE AGREEMENT ON THE AGENCY'S BEHALF. A fully executed copy of the agreement will be returned to you upon ratification by Caltrans. No invoices for reimbursement can be processed until the agreement is fully executed.

The State budget authority supporting the encumbered funds is only available for liquidation up to specific deadlines. These deadlines are shown on the attached Finance letter as the "Reversion Date". Please ensure that your invoices are submitted at least 60 days prior to the reversion date to avoid any lapse of funds. If your agency is unable to seek reimbursement by this date you may request an extension through a Cooperative Work Agreement (CWA). A CWA is subject to the final approval of the State Department of Finance. If approved, the CWA may extend the deadline for up to two years.

Your prompt action is requested. If you have questions, please contact your District Local Assistance Engineer.

Sincerely,


JOHN HOOLE, Chief
Office of Project Implementation - South
Division of Local Assistance

Enclosure

c: DLA AE Project Files
(11) DLAE - Bing Luu

ENG & PM DEPT.
CITY OF NATIONAL CITY
JUD PM 2:26 OCT 23 17

DEPARTMENT OF TRANSPORTATION
DIVISION OF ACCOUNTING
LOCAL PROGRAM ACCOUNTING BRANCH

FINANCE LETTER

Date: 10/16/2017
D_CO_RT: 11-SD-0-NATC
Project No: HSIPL-5066(029)
Adv Project Id: 1115000103
Period of Performance End Date: 08/21/2019
Agreement End Date: 05/21/2021

EA No:

Attention: City of National City

FINANCE ITEMS	PRO RATA OR LUMP SUM	TOTAL COST OF WORK	FEDERAL PART. COST	FED. REIMB %	FEDERAL ZS30	LOCAL	LOCAL (N/P)
Contract Items: \$751,528 Contingencies: \$75,153 Total: \$826,681							
Construction	Lump Sum	\$826,681.00	\$826,681.00	89.99%	\$743,013.00	\$82,668.00	\$1,000.00
Agency Construction Engineering	Lump Sum	\$75,153.00	\$75,153.00	90.00%	\$67,637.00	\$7,516.00	\$0.00
Totals:		\$901,834.00	\$901,834.00	0.00%	\$810,650.00	\$90,184.00	\$1,000.00

Participation Ratio: 99.89%

This Finance Letter was created based on specific financial information provided by the responsible local agency. The following encumbrance history is prepared by Local Assistance Accounting Office and is provided here for local agency's information and action.

Signature: _____

Title: HQ Sr. Area Engineer

For questions regarding finance letter, contact:

Printed Name : Nahed Abdin

Telephone No: 916-653-7928

Remarks: RFA for Con.
Cycle 6, HSIP ID #HSIP6-11-012, - cng 8/3/2017

ACCOUNTING INFORMATION									Cooperative Work Agreement	
ADV. PROJECT ID	APPROP. UNIT	STATE PROG.	FED/STATE	ENCUMBRANCE AMOUNT	APPROP YEAR	EXPENDITURE AMOUNT	ENCUMBRANCE BALANCE	REVERSION DATE	APPROVED AMOUNT	EXPIRATION DATE
1115000103	171C2F	2030010350	F	\$810,650.00	1617	\$0.00	\$810,650.00	06/30/22		

PROGRAM SUPPLEMENT NO. F016
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 11-5066F15

Adv Project ID **Date:** September 25, 2017
1115000103 **Location:** 11-SD-0-NATC
 Project Number: HSIPL-5066(029)
 E.A. Number:
 Locode: 5066

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 07/11/16 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the Administering Agency on _____
(See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

9 Intersections throughout National City

TYPE OF WORK: Install pedestrian crossings and related improvements

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds	
	ZS30		LOCAL	OTHER
\$901,834.00		\$810,650.00	\$91,184.00	\$0.00

CITY OF NATIONAL CITY

By RON MORRISON
Title MAYOR
Date February 6, 2018
Attest Michael Dalla, City Clerk

STATE OF CALIFORNIA
Department of Transportation

By _____
Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer [Signature] Date 9/28/17 \$810,650.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

Page 1 of 1

TO: STATE CONTROLLER'S OFFICE		DATE PREPARED:	PROJECT NUMBER:
Claims Audits		9/28/2017	1115000103
3301 "C" Street, Rm 404		REQUISITION NUMBER / CONTRACT NUMBER:	
Sacramento, CA 95816		RQS 111800000128	
FROM:			
Department of Transportation			
SUBJECT:			
Encumbrance Document			
VENDOR / LOCAL AGENCY:			
CITY OF NATIONAL CITY			

\$ 810,650.00

PROCUREMENT TYPE:

Local Assistance

[illegible]

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information, call (915) 654-6410 or TDD (916) -3880 or write Records and Forms Management, 1120 N. Street, MS-89, Sacramento, CA 95814.

SPECIAL COVENANTS OR REMARKS

1. A. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.

B. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).

C. STATE and ADMINISTERING AGENCY agree that any additional funds which might be made available by future Federal obligations will be encumbered on this PROJECT by use of a STATE-approved "Authorization to Proceed" and Finance Letter. ADMINISTERING AGENCY agrees that Federal funds available for reimbursement will be limited to the amounts obligated by the Federal Highway Administration.

D. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

Failure to do so will cause a delay in the State processing invoices for the construction phase. Attention is directed to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

E. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

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SPECIAL COVENANTS OR REMARKS

assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

G. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

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H. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Exclusion List. Exclusions can be found at www.sam.gov.

2. A. ADMINISTERING AGENCY shall conform to all State statutes, regulations and procedures (including those set forth in the Local Assistance Procedures Manual and the Local Assistance Program Guidelines, hereafter collectively referred to as "LOCAL ASSISTANCE PROCEDURES") relating to the federal-aid program, all Title 23 Code of

SPECIAL COVENANTS OR REMARKS

Federal Regulation (CFR) and 2 CFR Part 200 federal requirements, and all applicable federal laws, regulations, and policy and procedural or instructional memoranda, unless otherwise specifically waived as designated in the executed project-specific PROGRAM SUPPLEMENT.

B. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with LOCAL ASSISTANCE PROCEDURES.

C. ADMINISTERING AGENCY must have at least one copy of supporting backup documentation for costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. ADMINISTERING AGENCY agrees to submit supporting backup documentation with invoices if requested by State. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.

D. Indirect Cost Allocation Plan/Indirect Cost Rate Proposals (ICAP/ICRP), Central Service Cost Allocation Plans and related documentation are to be prepared and provided to STATE (Caltrans Audits & Investigations) for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect costs incurred within each fiscal year being claimed for State and federal reimbursement. ICAPs/ICRPs must be prepared in accordance with the requirements set forth in 2 CFR, Part 200, Chapter 5 of the Local Assistance Procedural Manual, and the ICAP/ICRP approval procedures established by STATE.

E. STATE will withhold the greater of either two (2) percent of the total of all federal funds encumbered for each PROGRAM SUPPLEMENT or \$40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.

F. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand within thirty (30) days of such invoice.

G. ADMINISTERING AGENCY agrees to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards.

H. ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures,

SPECIAL COVENANTS OR REMARKS

48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items.

I. Every sub-recipient receiving PROJECT funds under this AGREEMENT shall comply with 2 CFR, Part 200, 23 CFR, 48 CFR Chapter 1, Part 31, Local Assistance Procedures, Public Contract Code (PCC) 10300-10334 (procurement of goods), PCC 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

J. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, 23 CFR, 48 CFR, Chapter 1, Part 31, and other applicable STATE and FEDERAL regulations, are subject to repayment by ADMINISTERING AGENCY to STATE.

K. STATE reserves the right to conduct technical and financial audits of PROJECT WORK and records and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by the following paragraph:

ADMINISTERING AGENCY, ADMINISTERING AGENCY'S contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit by STATE, the California State Auditor, or any duly authorized representative of STATE or the United States all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts and ADMINISTERING AGENCY shall furnish copies thereof if requested. All of the above referenced parties shall make such AGREEMENT, PROGRAM SUPPLEMENT, and contract materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of submission of the final expenditure report by the STATE to the FHWA.

L. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain a financial management system and records that properly accumulate and segregate reasonable, allowable, and allocable incurred PROJECT costs and matching funds by line item for the PROJECT. The financial management system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices set to or paid by STATE.

M. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of 2 CFR 200 if it expends \$750,000 or more in Federal Funds in a single fiscal year of the Catalogue of Federal Domestic Assistance.

N. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in

SPECIAL COVENANTS OR REMARKS

ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with 2 CFR, Part 200.

O. ADMINISTERING AGENCY shall not award a non-A&E contract over \$5,000, construction contracts over \$10,000, or other contracts over \$25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. Contracts awarded by ADMINISTERING AGENCY, if intended as local match credit, must meet the requirements set forth in this AGREEMENT regarding local match funds.

P. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain provisions B, C, F, H, I, K, and L under Section 2 of this agreement.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) authorizing the Mayor to execute Program Supplement Agreement (PSA) No. F017 with the State of California Department of Transportation (Caltrans) for the Highland Avenue Traffic Signal Modifi

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

[Resolution of the City Council of the City of National City, 1) authorizing the Mayor to execute Program Supplement Agreement (PSA) No. F017 with the State of California Department of Transportation (Caltrans) for the Highland Avenue Traffic Signal Modifications Project to allow for reimbursement of up to \$729,300 in eligible project expenditures through the Highway Safety Improvement Program (HSIP); and 2) authorizing the establishment of an Engineering Grants Fund appropriation of \$729,300 and corresponding revenue budget.]

PREPARED BY: Jose Lopez, Assistant Engineer - Civil

PHONE: 619-336-4312

DEPARTMENT: Engineering/Public Works

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

ACCOUNT NO.

HSIP Grant - \$729,300
Revenue Account No. 296-06042-3463
Expenditure Account No. 296-409-500-598-6042
Highland Avenue Traffic Signal
Modifications Project - HSIP Grant

APPROVED:  Finance

APPROVED: _____ MIS

Local Match - \$104,331
Expenditure Account No. 001-409-500-598-6573
(Traffic Safety Enhancements)
Local match appropriated through FY 2018 CIP budget

ENVIRONMENTAL REVIEW:

Caltrans Determination of Categorical Exclusion under 23 CFR 771.117(c): activity (c)(8), approved March 23, 2015, and revalidated January 12, 2017.

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

[Adopt Resolution authorizing the Mayor to execute PSA No. F017 with Caltrans for the Highland Avenue Traffic Signal Modifications Project to allow for reimbursement of up to \$729,300 in HSIP grant funds.]

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation
2. Program Supplement Agreement
3. Resolution

Explanation

On November 11, 2013, the California Department of Transportation (Caltrans) awarded a \$729,300 Highway Safety Improvement Program (HSIP) grant for the Highland Avenue Traffic Signal Modifications Project. Caltrans has allocated \$729,300 for construction. There is a local match requirement of \$104,331, which is available in the Traffic Safety Enhancements CIP expenditure account through FY 2018 CIP budget appropriations.

This project includes the following safety enhancements:

- Replace the existing left-turn phases and signal heads with protected left-turn phases and signal heads on existing and/or new poles and mast arms at the following intersections:
 - Highland Avenue & E. 4th Street
 - Highland Avenue & Wal-Mart Driveway
 - Highland Avenue & E. 16th Street
 - Highland Avenue & E. 18th Street
 - Highland Avenue & E. 21st Street
 - Highland Avenue & E. 24th Street
- The project will also install new controller cabinets, vehicle detection loops, traffic signal poles, and Americans with Disabilities Act (ADA) enhancements.

City Council Resolution authorizing the Mayor to execute Program Supplement Agreement No. F017 to Administering Agency-State Master Agreement No. 11-5066F15 is required to allow for reimbursement of eligible project expenditures through the Federal HSIP grant.

DEPARTMENT OF TRANSPORTATION

Division of Local Assistance
1120 N STREET
P.O. BOX 942874, MS# 1
Sacramento, CA 94274-0001
TTY 711
(916) 654-3883
Fax (916) 654-2408



File : 11-SD-0-NATC

HSIPL-5066(027)

Highland Ave & 4th St / Shopping
Ctr Dwy / E 16th St / E 18th St / 21st
St / E 24 St

November 9, 2017

Mr. Stephen Manganiello
Director of Public Works
City of National City
1243 National City Boulevard
National City, CA 91950-4301

Attn: Mr. Kuna Muthusamy

Dear Mr. Manganiello:

Enclosed are two originals of the Program Supplement Agreement No. 017-F to Administering Agency-State Agreement No. 11-5066F15 and an approved Finance Letter for the subject project. Please retain the signed Finance Letter for your records.

Please note that federal funding will be lost if you proceed with future phase(s) of the project prior to getting the "Authorization to Proceed" with that phase.

Please review the covenants and sign both copies of this Agreement and return both to this office, Office of Project Implementation - MS1 within 90 days from the receipt of this letter. If the signed Agreements are not received back in this office within 90 days, funds will be disencumbered and/or deobligated. Alterations should not be made to the agreement language or funding. ATTACH YOUR LOCAL AGENCY'S CERTIFIED AUTHORIZING RESOLUTION THAT CLEARLY IDENTIFIES THE OFFICIAL AUTHORIZED TO EXECUTE THE AGREEMENT ON THE AGENCY'S BEHALF. A fully executed copy of the agreement will be returned to you upon ratification by Caltrans. No invoices for reimbursement can be processed until the agreement is fully executed.

The State budget authority supporting the encumbered funds is only available for liquidation up to specific deadlines. These deadlines are shown on the attached Finance letter as the "Reversion Date". Please ensure that your invoices are submitted at least 60 days prior to the reversion date to avoid any lapse of funds. If your agency is unable to seek reimbursement by this date you may request an extension through a Cooperative Work Agreement (CWA). A CWA is subject to the final approval of the State Department of Finance. If approved, the CWA may extend the deadline for up to two years.

Your prompt action is requested. If you have questions, please contact your District Local Assistance Engineer.

Sincerely,

JOHN HOOLE, Chief
Office of Project Implementation - South
Division of Local Assistance

Enclosure

c: DLA AE Project Files
(11) DLAE - Bing Luu

2017 NOV 11 10:29 AM
CITY OF NATIONAL CITY
ENG & PM DEPT.

DEPARTMENT OF TRANSPORTATION
DIVISION OF ACCOUNTING
LOCAL PROGRAM ACCOUNTING BRANCH

FINANCE LETTER

Date: 11/07/2017
D_CO_RT: 11-SD-0-NATC
Project No: HSIPL-5066(027)
Adv Project Id: 1115000101
Period of Performance End Date: 08/21/2019
Agreement End Date: 05/21/2021

EA No:

Attention: City of National City

FINANCE ITEMS	PRO RATA OR LUMP SUM	TOTAL COST OF WORK	FEDERAL PART. COST	FED. REIMB %	FEDERAL Z930	LOCAL	OTHER
Construction	Lump Sum	\$763,631.00	\$763,631.00	90.00%	\$687,268.00	\$76,363.00	\$0.00
Contract Items: \$694,210 Contingencies: \$69,421 Total: \$763,631							
Agency Construction Engineering	Lump Sum	\$70,000.00	\$70,000.00	60.05%	\$42,032.00	\$27,968.00	\$0.00
Totals:		\$833,631.00	\$833,631.00	0.00%	\$729,300.00	\$104,331.00	\$0.00

Participation Ratio: 100.00%

This Finance Letter was created based on specific financial information provided by the responsible local agency. The following encumbrance history is prepared by Local Assistance Accounting Office and is provided here for local agency's information and action.

Signature: 

Title: HQ Sr Area Engineer

For questions regarding finance letter, contact:

Printed Name : Nahed Abdin

Telephone No: 916-853-7928

Remarks: 8/9/2017: RFA-CON & CENG.. Local agency used local funds for PE.

ACCOUNTING INFORMATION										HSIPL-5066(027)		Cooperative Work Agreement	
ADV. PROJECT ID	APPROP UNIT	STATE PROG.	FED/STATE	ENCUMBRANCE AMOUNT	APPROP YEAR	EXPENDITURE AMOUNT	ENCUMBRANCE BALANCE	REVERSION DATE				APPROVED AMOUNT	EXPIRATION DATE
1115000101	17102F	2030010550	F	\$729,300.00	1617	\$0.00	\$729,300.00	06/30/22					

PROGRAM SUPPLEMENT NO. F017
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 11-5066F15

Adv Project ID **Date:** November 1, 2017
1115000101 **Location:** 11-SD-0-NATC
 Project Number: HSIPL-5066(027)
 E.A. Number:
 Locode: 5066

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 07/11/16 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the Administering Agency on _____
(See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

Highland Ave & 4th St / Shopping Ctr Dwy / E 16th St / E 18th St / 21st St / E 24 St

TYPE OF WORK: Upgrade traffic signals; Install protected left-turn phasing

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds	Matching Funds		
	ZS30 \$729,300.00	LOCAL		OTHER
\$833,631.00		\$104,331.00		\$0.00

CITY OF NATIONAL CITY

By RON MORRISON
Title MAYOR
Date February 6, 2018

Attest Michael Dalla, City Clerk

STATE OF CALIFORNIA
Department of Transportation

By _____
Chief, Office of Project Implementation
Division of Local Assistance

Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Jennifer Lee Date 11/2/17 \$729,300.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

STATE OF CALIFORNIA. DEPARTMENT OF TRANSPORTATION
PROGRAM SUPPLEMENT AND CERTIFICATION FORM
PSCF (REV. 01/2010)

Page 1 of 1

TO: STATE CONTROLLER'S OFFICE Claims Audits 3301 "C" Street, Rm 404 Sacramento, CA 95816	DATE PREPARED: 11/2/2017	PROJECT NUMBER: 1115300101
	REQUISITION NUMBER / CONTRACT NUMBER: RQS 111800000189	

FROM: **Department of Transportation**

SUBJECT:
Encumbrance Document

VENDOR / LOCAL AGENCY:
CITY OF NATIONAL CITY

\$ 729,300.00

PROCUREMENT TYPE:

Local Assistance

[illegible]

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information, call (915) 654-6410 or TDD (916) -3880 or write Records and Forms Management, 1120 N. Street, MS-89, Sacramento, CA 95814.

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SPECIAL COVENANTS OR REMARKS

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SPECIAL COVENANTS OR REMARKS

Federal Regulation (CFR) and 2 CFR Part 200 federal requirements, and all applicable federal laws, regulations, and policy and procedural or instructional memoranda, unless otherwise specifically waived as designated in the executed project-specific PROGRAM SUPPLEMENT.

B. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with LOCAL ASSISTANCE PROCEDURES.

C. ADMINISTERING AGENCY must have at least one copy of supporting backup documentation for costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. ADMINISTERING AGENCY agrees to submit supporting backup documentation with invoices if requested by State. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.

D. Indirect Cost Allocation Plan/Indirect Cost Rate Proposals (ICAP/ICRP), Central Service Cost Allocation Plans and related documentation are to be prepared and provided to STATE (Caltrans Audits & Investigations) for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect costs incurred within each fiscal year being claimed for State and federal reimbursement. ICAPs/ICRPs must be prepared in accordance with the requirements set forth in 2 CFR, Part 200, Chapter 5 of the Local Assistance Procedural Manual, and the ICAP/ICRP approval procedures established by STATE.

E. STATE will withhold the greater of either two (2) percent of the total of all federal funds encumbered for each PROGRAM SUPPLEMENT or \$40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.

F. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand within thirty (30) days of such invoice.

G. ADMINISTERING AGENCY agrees to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards.

H. ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures,

SPECIAL COVENANTS OR REMARKS

48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items.

I. Every sub-recipient receiving PROJECT funds under this AGREEMENT shall comply with 2 CFR, Part 200, 23 CFR, 48 CFR Chapter 1, Part 31, Local Assistance Procedures, Public Contract Code (PCC) 10300-10334 (procurement of goods), PCC 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

J. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, 23 CFR, 48 CFR, Chapter 1, Part 31, and other applicable STATE and FEDERAL regulations, are subject to repayment by ADMINISTERING AGENCY to STATE.

K. STATE reserves the right to conduct technical and financial audits of PROJECT WORK and records and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by the following paragraph:

ADMINISTERING AGENCY, ADMINISTERING AGENCY'S contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit by STATE, the California State Auditor, or any duly authorized representative of STATE or the United States all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts and ADMINISTERING AGENCY shall furnish copies thereof if requested. All of the above referenced parties shall make such AGREEMENT, PROGRAM SUPPLEMENT, and contract materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of submission of the final expenditure report by the STATE to the FHWA.

L. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain a financial management system and records that properly accumulate and segregate reasonable, allowable, and allocable incurred PROJECT costs and matching funds by line item for the PROJECT. The financial management system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices set to or paid by STATE.

M. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of 2 CFR 200 if it expends \$750,000 or more in Federal Funds in a single fiscal year of the Catalogue of Federal Domestic Assistance.

N. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in

SPECIAL COVENANTS OR REMARKS

ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with 2 CFR, Part 200.

O. ADMINISTERING AGENCY shall not award a non-A&E contract over \$5,000, construction contracts over \$10,000, or other contracts over \$25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. Contracts awarded by ADMINISTERING AGENCY, if intended as local match credit, must meet the requirements set forth in this AGREEMENT regarding local match funds.

P. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain provisions B, C, F, H, I, K, and L under Section 2 of this agreement.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the City Manager to execute a Compensation Agreement with the affected Taxing Entities pertaining to the full disposition of three parcels of vacant land located at 1231, 1237 and 123

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the City Manager to execute a Compensation Agreement with the affected Taxing Entities pertaining to the full disposition of three parcels of vacant land located at 1231, 1237 and 1239 McKinley Ave. in National City retained by the City of National City for future development pursuant to the Revised Long Range Property Management Plan.

PREPARED BY: Greg Rose, Property Agent

DEPARTMENT: Housing & Economic Dev.

PHONE: 619-336-4266

APPROVED BY: 

EXPLANATION:

Pursuant to Health and Safety Code Section 34188, upon the sale of any Future Development Parcel, the City shall remit the hereinafter defined "Net Unrestricted Sales Proceeds" for such Future Development Parcels among the affected taxing entities on a pro rata basis in proportion to each entity's respective share of the property tax base. A list of the affected taxing entities is included as Exhibit "A" to the Compensation Agreement.

The appraised value of the property is \$144,000.00, with an amount not to exceed \$10,100.00 being deducted for holding costs incurred by the City for marketing and managing the property. The estimated net proceeds of \$133,900.00 will be distributed to the taxing entities based on each entity's proportional share of base property tax for the parcel. According to County Auditor and Controller records, the City's proportional share for the parcel is 17.992456%, resulting in \$24,091.89 in revenue. Subtracting the City's share from the properties full appraised value leaves an estimated \$109,808.11 to be distributed to the taxing entities.

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO.

APPROVED: _____ MIS

\$10,100.00 to 001-45462-3636 Refunds and Reimbursements

\$109,808.11 from 001-409-500-598-1596 WITOD Improvements, (to pay affected taxing entities their share of the proceeds to retain the property).

ENVIRONMENTAL REVIEW:

Approval of the property transfer is not a "Project" under section 15378 of the California Environmental Quality Act ("CEQA") guidelines because the proposed action consists of an administrative activity that will not result in direct or indirect physical changes to the environment

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt the Resolution.

BOARD / COMMISSION RECOMMENDATION:

Not applicable.

ATTACHMENTS:

1. Compensation Agreement
2. Background
3. Resolution

**COMPENSATION AGREEMENT REGARDING LONG RANGE
PROPERTY MANAGEMENT PLAN PROPERTY RETAINED BY
THE CITY OF NATIONAL CITY FOR FUTURE DEVELOPMENT**

1231, 1237& 1239 McKinley Avenue

National City, CA

APN# 559-002-05, 07, 08

This Compensation Agreement (“Agreement”), dated as of _____, 2017 (“Effective Date”), is entered into by and among the City of National City (“City”), the County of San Diego, the National School District, the Sweetwater Union High School District, Southwestern College, San Diego County Superintendent of Schools, and the San Diego County Water Authority (collectively referred to as “Taxing Entities”), on the basis of the following facts, understandings, and intentions of the parties:

RECITALS

- A. Assembly Bill 26X, as amended by AB 1484, SB 107, and other statutes, together, being referenced below as the “Dissolution Act” dissolved redevelopment agencies and required successor agencies to wind down redevelopment agencies’ affairs.
- B. Pursuant to the Dissolution Act, all real property owned by the dissolved National City Redevelopment Agency was transferred to the control of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency (“Successor Agency”).
- C. Health and Safety Code Section 34191.5(b) requires a successor agency to prepare a long-range property management plan (“LRPMP”) that addresses the disposition and use of the real properties of the former redevelopment agency within six months of receiving a “finding of completion”.
- D. Health and Safety Code Section 34191.5(b) also requires the Successor Agency to submit the LRPMP to its Oversight Board and the California Department of Finance (“DOF”) for approval.
- E. On December 30, 2015, DOF approved a revised LRPMP which was prepared by the Successor Agency (“Revised LRPMP”).
- F. DOF’s letter to the Successor Agency approving the Revised LRPMP provides that “[p]ursuant to HSC section 34191.3(a) the approved LRPMP shall govern, and supersede all other provisions relating to, the disposition and use of all the real property assets of the former redevelopment agency.”

- G. The Revised LRPMP provides that eighteen (18) County Assessor parcels will be transferred to and retained by the City for future development (each individually a "Future Development Parcel"). Three Future Development Parcels are that certain real property located at 1231, 1237 & 1239 McKinley Ave., National City, California, APN #559-002-05,07,08 ("Property").
- H. The City intends to purchase the property for City use.
- I. The City shall pay One Hundred Forty Four Thousand and No/100 Dollars (\$144,000) as the purchase price for the Property, which is the fair market value of the Property as of August 28, 2017, pursuant to that certain appraisal report conducted by Kent Carpenter of Epic Land Solutions, Inc.
- J. The Revised LRPMP provides that in connection with the Property, the City shall enter into a compensation agreement with the affected taxing entities. This Agreement is the compensation agreement referenced in the Revised LRPMP with respect to the Property.
- K. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, funded from its own funds and under its own auspices, it must reach a compensation agreement with other taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Section 34188, for the value of the property retained.
- L. The parties recognize that real property is unique, and accordingly, agree that the provisions of this Agreement shall not establish a precedent with respect to properties to be disposed of in the future by the City of National City.

NOW, THEREFORE, the parties agree as follows:

Section 1. Allocation of Sale Proceeds from Sale of Property.

The parties agree that pursuant to the Purchase, the City will distribute \$133,900.00 (\$144,000 less \$10,100 in agreed upon costs illustrated on Table 1 on the following page) within 30 days after the completion of the Compensation Agreement to the Taxing Entities in proportion to each agency's share of the base property tax as determined pursuant to Health and Safety Code Section 34188 and by the County's Auditor and Controller as set forth Table 2 on the following page:

Table 1: Agreed Upon Costs for Sale of the Property

Estimated Escrow Fees/ Closing Costs	\$0
Public Notice	\$700
Economic Opportunity Report	\$0
Appraisal Report	\$2,000
Estimated Maintenance Costs	\$2,000
Estimated Management Costs	\$2,900
Estimated Legal Fees	\$2,500
TOTAL ESTIMATED COSTS	\$10,100

TABLE 2: IMPACTED TAXING ENTITIES	FUND IMPACT RATIOS
Fund Name	
COUNTY OF SAN DIEGO (County General)	<i>0.14987258</i>
NATIONAL SCHOOL DISTRICT	<i>0.28818591</i>
SWEETWATER UNION HIGH SCHOOL DISTRICT	<i>0.17633424</i>
SOUTHWESTERN COLLEGE	<i>0.04751464</i>
SAN DIEGO COUNTY OFFICE OF EDUCATION	<i>0.02115793</i>
EDUCATIONAL REVENUE AUGMENTATION FUND	<i>0.13306690</i>
CITY OF NATIONAL CITY	<i>0.17992456</i>
SAN DIEGO COUNTY WATER AUTHORITY	<i>0.00394326</i>
TOTAL	1.00000000

Section 2. Condition Precedent.

Any duty imposed on the City by this Agreement is based upon the consummation of the sale of the property. No representations or assurances are made by the City as to when, if ever, the sale will be consummated.

Section 3. Effective Date and Term.

This Agreement shall be effective from the Effective Date specified above and shall remain in effect until the provisions of Section 1 above are fully performed.

Notwithstanding any other provision of this Agreement or the Revised LRPMP, a party may terminate this Agreement upon written notice to the other parties if a court order, legislation, or DOF policy reverses the requirement or need for this Agreement (an “Early Termination”). An Early Termination shall become effective five (5) days after the terminating party delivers the required notice to the other parties in accordance with this Agreement. Upon effectiveness of an Early Termination, no party shall have any further rights or obligations under this Agreement. An Early Termination shall not be permissible if the net sale proceeds from the sale of the Property have already been distributed in accordance with this Agreement. Notwithstanding any other provision contained herein, once the City makes a payment to a taxing entity, the payment is irrevocable.

Section 4. Miscellaneous Provisions.

a. Notices. All notices, statements, or other communications made pursuant to this Agreement to another party or parties shall be in writing and addressed to the applicable party at the address listed on Exhibit A, which is attached hereto and incorporated herein by this reference. All such notices shall be sent by: (1) personal delivery, in which case notice is effective upon delivery; (2) certified or registered mail, return receipt requested, in which case notice shall be deemed delivered on receipt if delivery is confirmed by a return receipt; or (3) nationally recognized overnight courier, with charges prepaid or charged to the sender’s account, in which case notice is effective on delivery if delivery is confirmed by the delivery service. Any party may change its address for notice purposes by written notice to the other parties prepared and delivered in accordance with the provisions of this Section.

b. No Third Party Beneficiaries. No person or entity other than the parties and their successors and assigns shall have any right under this Agreement.

c. State Law; Venue. This Agreement, and the rights and obligations of the parties hereto, shall be construed and enforced in accordance with the laws of the State of California. Any action to enforce or interpret this Agreement shall be filed and heard in the Superior Court of San Diego County, California or in the Federal District Court for the Southern District of California.

d. Entire Agreement; Amendment. This Agreement constitutes the entire and integrated agreement of the parties and supersedes all prior negotiations, representations, or

Version 4 (9-13-16) (KBB edits)

agreements, either written or oral. This Agreement may be modified only in writing and only if signed by all of the parties hereto.

e. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement. The signature page of any counterpart may be detached therefrom without impairing the legal effect of the signature(s) thereon, provided such signature page is attached to any other counterpart identical thereto having additional signature pages executed by the other parties. Any executed counterpart of this Agreement shall be deemed as binding as if an originally signed counterpart was delivered.

f. Costs. The parties shall each bear their own costs, expert fees, attorneys' fees and other fees incurred in connection with this Agreement, including, without limitation if any legal action is brought by any party because of a breach of this Agreement or to enforce a provision of this Agreement.

g. No Partnership. Nothing contained in this Agreement shall be construed to constitute any party as a partner, employee, joint venturer, or agent of any other party.

h. Headings; Interpretation. The section headings and captions used herein are solely for convenience and shall not be used to interpret this Agreement. The parties agree that this Agreement shall not be construed as if prepared by one of the parties, but rather according to its fair meaning as a whole, as if all parties had prepared it.

i. Severability. If any term, provision, or condition of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall continue in full force and effect.

j. Action or Approval. Whenever action and/or approval by the City is required under this Agreement, the City Manager or his or her designee may act on and/or approve such matter, or unless the City Manager determines in his or her discretion that such action or approval requires referral to the City Council for consideration.

[remainder of page left intentionally blank]

[signatures on following pages]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the dates set forth in the opening paragraph of this Agreement.

CITY OF NATIONAL CITY

By: _____

Name: Leslie Deese

Title: City Manager

ATTEST:

By: _____

Name: Michael Dalla

Title: City Clerk

APPROVED AS TO FORM:

By: _____

Name: Angil P. Morris-Jones

Title: City Attorney

[remainder of page left intentionally blank]

[signatures on following pages]

COUNTY OF SAN DIEGO

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following pages]

NATIONAL SCHOOL DISTRICT

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following pages]

SWEETWATER UNION HIGH SCHOOL
DISTRICT

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following pages]

SOUTHWESTERN COLLEGE

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following pages]

SAN DIEGO COUNTY SUPERINTENDENT OF
SCHOOLS

By: _____
Name: Paul Gothold, Ed.D.
Title: County Superintendent of Schools

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following page]

SAN DIEGO COUNTY WATER AUTHORITY

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

LIST OF NOTICE ADDRESSES OF PARTIES

City of National City: City of National City
1243 National City Boulevard
National City, California 91950
Attn: Leslie Deese, City Manager

With a Copy to: City of National City
Office of the City Attorney
1243 National City Boulevard
National City, California 91950
Attn: Angil P. Morris-Jones,
City Attorney

County of San Diego: County of San Diego
1600 Pacific Highway
Room ____
San Diego, CA 92101
Attn: Brian Hagerty, Group Finance Director

National School District: National School District
1500 N Avenue
National City, CA 91950
Attn: Christopher Carson, Asst. Superintendent of
Business Services

Sweetwater Union High School District:
Sweetwater Union High School District
1130 Fifth Ave
Chula Vista, CA 91911
Attn: Karen Michel, Chief Financial Officer

Southwestern College: Southwestern College
900 Otay Lake Road
Chula Vista, CA 91910
Attn: Tim Flood, VP of
Business and Financial
Affairs

San Diego County Office of Education:
San Diego County Office of Education
6401 Linda Vista Road
San Diego, CA 92111
Attn: Paul Gothold, Ed.D.,
County Superintendent of Schools

San Diego County Water Authority:
San Diego County Water Authority
4677 Overland Avenue
San Diego, CA 92122
Attn: Christopher [REDACTED], Controller

Background Report

As a result of legislation (ABX1 26) signed by Governor Brown in June 2011, all redevelopment agencies throughout California were dissolved as of February 1, 2012 and successor agencies were established to wind down the affairs of the former redevelopment agencies. One of the duties of the successor agencies under the dissolution legislation was to dispose of the assets and properties of the former redevelopment agency. In June 2012, AB 1484 was signed into law and among other things, provided specific direction regarding the property disposition process. It required successor agencies to first prepare a long range property management plan (LRPMP) consisting of several elements. The Successor Agency to the Community Development Commission of the City of National City (SA) prepared a LRPMP that was approved by its Oversight Board and the California Department of Finance in December 2015.

The LRPMP identified one property that would be sold outright by the Successor Agency, 15 parcels that would be transferred to the City for government use, and 18 parcels that would be transferred to the City for future development. Formal action to transfer these parcels to the City took place during the City Council's regular meeting on May 17, 2016. With respect to the 18 future development parcels, the City expects to sell these properties via an orderly process and with the intent to maximize the value.

Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, funded from its own funds and under its own auspices, it must reach a compensation agreement with other taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Section 34188, for the value of the property retained.

The Resolution considers the City of National City ("City") retaining the properties located at 1231, 1237 & 1239 McKinley Avenue, National City, CA ("McKinley Parcels"). The appraised value of the property is \$144,000.00, with an amount not to exceed \$10,100.00 being deducted for holding costs incurred by the City for marketing and managing the property. When the sale is finalized, the estimated net sale proceeds of \$133,900.00 will then be distributed to the taxing entities based on each entity's proportional share of base property tax for the parcel. According to County Auditor and Controller records, the City's proportional share for the parcel is 17.992456%, resulting in an estimated \$24,091.89 in revenue to the City. Subtracting the City's share from the sale price leaves an estimated \$109,808.11 that the City would distribute to the taxing entities to retain the McKinley Parcels.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the City Manager to execute a Compensation Agreement with the affected Taxing Entities pertaining to the sale of property located at 130 East 8th Street in National City to Protea Nat

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the City Manager to execute a Compensation Agreement with the affected Taxing Entities pertaining to the sale of property located at 130 East 8th Street in National City to Protea National City, LLC pursuant to the Revised Long Range Property Management Plan.

PREPARED BY: Greg Rose, Property Agent

DEPARTMENT: Housing & Economic Dev.

PHONE: 619-336-4266

APPROVED BY: 

EXPLANATION:

Pursuant to Health and Safety Code Section 34188, upon the sale of any Future Development Parcel, the City shall remit the hereinafter defined "Net Unrestricted Sales Proceeds" for such Future Development Parcels among the affected taxing entities on a pro rata basis in proportion to each entity's respective share of the property tax base. A list of the affected taxing entities is included as Exhibit "A" to the Compensation Agreement.

The sales price of the property is \$520,000.00, with an estimated \$24,700.00 being deducted for holding cost incurred by the City for marketing and managing the property. When the sale is finalized, the net sale proceeds estimated at \$495,300.00 will be distributed to the taxing entities based on each entity's proportional share of base property tax for the parcel. According to County Auditor and Controller records, the City's proportional share for the parcel is 17.992109%, resulting in \$89,114.87 in estimated revenue. Subtracting the City's share from the sale price leaves \$406,185.13 to be distributed to the taxing entities.

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO.

APPROVED: MIS

\$24,700.00 to 001-45462-3636 Refunds and Reimbursements

\$89,114.87 to 001-45462-3019 Sale of Property- Residual Balance Distribution

ENVIRONMENTAL REVIEW:

Approval of the property transfer is not a "Project" under section 15378 of the California Environmental Quality Act ("CEQA") guidelines because the proposed action consists of an administrative activity that will not result in direct or indirect physical changes to the environment.

ORDINANCE: INTRODUCTION: ☐

FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt the Resolution.

BOARD / COMMISSION RECOMMENDATION:

Not applicable.

ATTACHMENTS:

1. Compensation Agreement
2. Background
3. Resolution

**COMPENSATION AGREEMENT REGARDING LONG RANGE
PROPERTY MANAGEMENT PLAN PROPERTY RETAINED BY
THE CITY OF NATIONAL CITY FOR FUTURE DEVELOPMENT
(130 East 8th Street, National City, CA
APN # 556-472-26)**

This Compensation Agreement (“Agreement”), dated as of _____, 2017 (“Effective Date”), is entered into by and among the City of National City (“City”), the County of San Diego, the National School District, the Sweetwater Union High School District, Southwestern College, San Diego County Superintendent of Schools, and the San Diego County Water Authority (collectively referred to as “Taxing Entities”), on the basis of the following facts, understandings, and intentions of the parties:

RECITALS

- A. Assembly Bill 26X, as amended by AB 1484, SB 107, and other statutes, together, being referenced below as the “Dissolution Act” dissolved redevelopment agencies and required successor agencies to wind down redevelopment agencies’ affairs.
- B. Pursuant to the Dissolution Act, all real property owned by the dissolved National City Redevelopment Agency was transferred to the control of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency (“Successor Agency”).
- C. Health and Safety Code Section 34191.5(b) requires a successor agency to prepare a long- range property management plan (“LRPMP”) that addresses the disposition and use of the real properties of the former redevelopment agency within six months of receiving a “finding of completion”.
- D. Health and Safety Code Section 34191.5(b) also requires the Successor Agency to submit the LRPMP to its Oversight Board and the California Department of Finance (“DOF”) for approval.
- E. On December 30, 2015, DOF approved a revised LRPMP which was prepared by the Successor Agency (“Revised LRPMP”).
- F. DOF’s letter to the Successor Agency approving the Revised LRPMP provides that “[p]ursuant to HSC section 34191.3(a) the approved LRPMP shall govern, and supersede all other provisions relating to, the disposition and use of all the real property assets of the former redevelopment agency.”

- G. The Revised LRPMP provides that eighteen (18) County Assessor parcels will be transferred to and retained by the City for future development (each individually a "Future Development Parcel"). One Future Development Parcel is that certain real property located at 130 East 8th Street, National City, California, APN #556-472-26 ("Property").
- H. The City has entered into an Exclusive Negotiating Agreement dated as of June 20, 2017 ("ENA"), pursuant to which the City will negotiate with IDNP Holdings, LLC, a California limited liability company ("Developer"), in accordance with the terms and conditions of the ENA.
- I. On October 23, 2017 the Developer submitted a Letter of Intent providing that the Developer shall pay the City Five Hundred Twenty Thousand and No/100 Dollars (\$520,000) as the purchase price for the Property, which is the fair market value of the Property as of September 19, 2017, pursuant to that certain appraisal report conducted by Brad Woodall of Brad C. Woodall, MAI.
- J. The Revised LRPMP provides that in connection with the Property, the City shall enter into a compensation agreement with the affected taxing entities. This Agreement is the compensation agreement referenced in the Revised LRPMP with respect to the Property.
- K. Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, funded from its own funds and under its own auspices, it must reach a compensation agreement with other taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Section 34188, for the value of the property retained.
- L. The parties recognize that real property is unique, and accordingly, agree that the provisions of this Agreement shall not establish a precedent with respect to properties to be disposed of in the future by the City of National City.

NOW, THEREFORE, the parties agree as follows:

Section 1. Allocation of Sale Proceeds from Sale of Property.

The parties agree that pursuant to the Letter of Intent, the City will distribute \$495,300.00 (\$520,000 less \$24,700 in agreed upon costs illustrated on Table 1 on the following page) within 30 days after the close of escrow to the Taxing Entities in proportion to each agency's share of the base property tax as determined pursuant to Health and Safety Code Section 34188 and by the County's Auditor and Controller as set forth in table 2 on the following page:

Table 1: Agreed Upon Costs for Sale of the Property

Estimated Escrow Fees/ Closing Costs	\$4,000
Estimated Public Notice	\$800
Estimated Economic Opportunity Report	\$3,500
Phase I Environmental Report	\$5,500
Appraisal Report	\$3,500
Estimated Maintenance Costs	\$2,000
Estimated Management Costs	\$2,900
Estimated Legal Fees	\$2,500
TOTAL ESTIMATED COSTS	\$24,700

TABLE 2: IMPACTED TAXING ENTITIES	FUND IMPACT RATIOS
Fund Name	
COUNTY OF SAN DIEGO (County General)	<i>0. 14985901</i>
NATIONAL SCHOOL DISTRICT	<i>0. 28819989</i>
SWEETWATER UNION HIGH SCHOOL DISTRICT	<i>0. 17634280</i>
SOUTHWESTERN COLLEGE	<i>0. 04751699</i>
SAN DIEGO COUNTY OFFICE OF EDUCATION	<i>0. 02115941</i>
EDUCATIONAL REVENUE AUGMENTATION FUND	<i>0. 13305549</i>
CITY OF NATIONAL CITY	<i>0. 17992109</i>
SAN DIEGO COUNTY WATER AUTHORITY	<i>0. 00394531</i>
TOTAL	1.00000000

Section 2. Condition Precedent.

Any duty imposed on the City by this Agreement is based upon the consummation of the sale of the Property in accordance with the Purchase Agreement. No representations or assurances are made by the City as to when, if ever, the sale will be consummated.

Section 3. Effective Date and Term.

This Agreement shall be effective from the Effective Date specified above and shall remain in effect until the provisions of Section 1 above are fully performed or the Purchase Agreement is terminated, whichever occurs first.

Notwithstanding any other provision of this Agreement or the Revised LRPMP, a party may terminate this Agreement upon written notice to the other parties if a court order, legislation, or DOF policy reverses the requirement or need for this Agreement (an “Early Termination”). An Early Termination shall become effective five (5) days after the terminating party delivers the required notice to the other parties in accordance with this Agreement. Upon effectiveness of an Early Termination, no party shall have any further rights or obligations under this Agreement. An Early Termination shall not be permissible if the net sale proceeds from the sale of the Property have already been distributed in accordance with this Agreement. Notwithstanding any other provision contained herein, once the City makes a payment to a taxing entity, the payment is irrevocable.

Section 4. Miscellaneous Provisions.

a. Notices. All notices, statements, or other communications made pursuant to this Agreement to another party or parties shall be in writing and addressed to the applicable party at the address listed on Exhibit A, which is attached hereto and incorporated herein by this reference. All such notices shall be sent by: (1) personal delivery, in which case notice is effective upon delivery; (2) certified or registered mail, return receipt requested, in which case notice shall be deemed delivered on receipt if delivery is confirmed by a return receipt; or (3) nationally recognized overnight courier, with charges prepaid or charged to the sender’s account, in which case notice is effective on delivery if delivery is confirmed by the delivery service. Any party may change its address for notice purposes by written notice to the other parties prepared and delivered in accordance with the provisions of this Section.

b. No Third Party Beneficiaries. No person or entity other than the parties and their successors and assigns shall have any right under this Agreement.

c. State Law; Venue. This Agreement, and the rights and obligations of the parties hereto, shall be construed and enforced in accordance with the laws of the State of California. Any action to enforce or interpret this Agreement shall be filed and heard in the Superior Court of San Diego County, California or in the Federal District Court for the Southern District of California.

d. Entire Agreement; Amendment. This Agreement constitutes the entire and

integrated agreement of the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be modified only in writing and only if signed by all of the parties hereto.

e. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement. The signature page of any counterpart may be detached therefrom without impairing the legal effect of the signature(s) thereon, provided such signature page is attached to any other counterpart identical thereto having additional signature pages executed by the other parties. Any executed counterpart of this Agreement shall be deemed as binding as if an originally signed counterpart was delivered.

f. Costs. The parties shall each bear their own costs, expert fees, attorneys' fees and other fees incurred in connection with this Agreement, including, without limitation if any legal action is brought by any party because of a breach of this Agreement or to enforce a provision of this Agreement.

g. No Partnership. Nothing contained in this Agreement shall be construed to constitute any party as a partner, employee, joint venturer, or agent of any other party.

h. Headings; Interpretation. The section headings and captions used herein are solely for convenience and shall not be used to interpret this Agreement. The parties agree that this Agreement shall not be construed as if prepared by one of the parties, but rather according to its fair meaning as a whole, as if all parties had prepared it.

i. Severability. If any term, provision, or condition of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall continue in full force and effect.

j. Action or Approval. Whenever action and/or approval by the City is required under this Agreement, the City Manager or his or her designee may act on and/or approve such matter, or unless the City Manager determines in his or her discretion that such action or approval requires referral to the City Council for consideration.

[remainder of page left intentionally blank]

[signatures on following pages]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the dates set forth in the opening paragraph of this Agreement.

CITY OF NATIONAL CITY

By: _____

Name: Leslie Deese

Title: City Manager

ATTEST:

By: _____

Name: Mike Dalla

Title: City Clerk

APPROVED AS TO FORM:

By: _____

Name: Angil P. Morris-Jones

Title: City Attorney

[remainder of page left intentionally blank]

[signatures on following pages]

COUNTY OF SAN DIEGO

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following pages]

NATIONAL SCHOOL DISTRICT

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following pages]

SWEETWATER UNION HIGH SCHOOL
DISTRICT

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following pages]

SOUTHWESTERN COLLEGE

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following pages]

SAN DIEGO COUNTY OFFICE OF EDUCATION

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

[remainder of page left intentionally blank]

[signatures on following page]

SAN DIEGO COUNTY WATER AUTHORITY

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

LIST OF NOTICE ADDRESSES OF PARTIES

City of National City: City of National City
1243 National City Boulevard
National City, California 91950
Attention: Leslie Deese, City Manager

With a Copy to: City of National City
Office of the City Attorney
1243 National City Boulevard
National City, California 91950
Attn: Angil P. Morris-Jones, City Attorney

County of San Diego: County of San Diego
1600 Pacific Highway
Room ____
San Diego, CA 92101
Attn: Brian Hagerty, Group Finance Director

National School District: National School District
1500 N Avenue
National City, CA 91950
Attn: Christopher Carson,
Asst. Superintendent of Business Services

Sweetwater Union High School District:
Sweetwater Union High School District
1130 Fifth Ave
Chula Vista, CA 91911
Attn: Karen Michel, Chief Financial Officer

Southwestern College: Southwestern College
900 Otay Lake Road
Chula Vista, CA 91910
Attn: Tim Flood,
VP of Business and Financial Affairs

San Diego County Office of Education:
San Diego County Office of Education
6401 Linda Vista Road
San Diego, CA 92111
Attn: Paul Gothold, Ed.D.,
County Superintendent of Schools

San Diego County Water Authority:
San Diego County Water Authority
4677 Overland Avenue
San Diego, CA 92123
Attn: Christopher Weidzik, Controller

Background Report

As a result of legislation (ABX1 26) signed by Governor Brown in June 2011, all redevelopment agencies throughout California were dissolved as of February 1, 2012 and successor agencies were established to wind down the affairs of the former redevelopment agencies. One of the duties of the successor agencies under the dissolution legislation was to dispose of the assets and properties of the former redevelopment agency. In June 2012, AB 1484 was signed into law and among other things, provided specific direction regarding the property disposition process. It required successor agencies to first prepare a long range property management plan (LRPMP) consisting of several elements. The Successor Agency to the Community Development Commission of the City of National City (SA) prepared a LRPMP that was approved by its Oversight Board and the California Department of Finance in December 2015.

The LRPMP identified one property that would be sold outright by the Successor Agency, 15 parcels that would be transferred to the City for government use, and 18 parcels that would be transferred to the City for future development. Formal action to transfer these parcels to the City took place during the City Council's regular meeting on May 17, 2016. With respect to the 18 future development parcels, the City expects to sell these properties via an orderly process and with the intent to maximize the value.

Health and Safety Code Section 34180(f) provides that if a city wishes to retain any properties or other assets for future redevelopment activities, funded from its own funds and under its own auspices, it must reach a compensation agreement with other taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Section 34188, for the value of the property retained.

The sale of the property located at 130 East 8th Street was approved by the Council on January 16, 2018. Pursuant to Health and Safety Code Section 34188, upon the sale of any Future Development Parcel, the City shall remit the hereinafter defined "Net Unrestricted Sales Proceeds" for such Future Development Parcels among the affected taxing entities on a pro rata basis in proportion to each entity's respective share of the property tax base. The sales price of the property is \$520,000.00, with an estimated \$24,700.00 being deducted for holding cost incurred by the City for marketing and managing the property. When the sale is finalized, the net sale proceeds of approximately \$495,300.00 will then be distributed to the taxing entities based on each entity's proportional share of base property tax for the parcel. According to County Auditor and Controller records, the City's proportional share for the parcel is 17.992109%, resulting in \$89,114.87 in estimated revenue.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City adopting Council Policy 603: Use of Volunteers by the City Council. (City Manager)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: February 6, 2018

AGENDA ITEM NO. |

ITEM TITLE:

Resolution of the City Council of the City of National City adopting Council Policy 603: Use of Volunteers by the City Council.

PREPARED BY: Stacey Stevenson

PHONE: 336-4308

DEPARTMENT: City Manager

APPROVED BY: 

EXPLANATION:

See attached explanation

FINANCIAL STATEMENT:

ACCOUNT NO. |

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and is therefore not subject to environmental review.

ORDINANCE: INTRODUCTION: ☐

FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt the resolution adopting Council Policy 603: Use of Volunteers by the City Council.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

See attached explanation

EXPLANATION

Following a properly agendized discussion at the regularly scheduled meeting of November 7, 2017, the City Council of the City of National City directed staff to develop a policy governing the use of volunteers by members of the City Council. With this item, staff brings forward a draft policy for consideration by the City Council.

Related to the above, this matter was first brought forward on October 17, 2017 (and continued to November 7, 2017). The October 17 staff report included a copy of Administrative Policy 04.09, Volunteers and Unpaid Interns. The daily sign-in log attached to the policy was not the form currently in use. The correct record keeping form has been attached to this item (Attachment 2) and is believed to be consistent with City Council's desire to track both hours worked and the nature of job assignments. The administrative policy has also been revised to include the correct form. Further, the Volunteer Council Representative description has been revised to clarify the meaning of "on duty" based on questions posed at the November 7 meeting (Attachment 3).

ATTACHMENTS

1. Draft Council Policy 603
2. City of National City Volunteer's Monthly Timesheet
3. Volunteer Council Representative Description (strike out and clean versions)
4. October 17, 2017 Staff Report (including Administrative Policy 04.09 – Volunteers and Unpaid Interns)
5. Administrative Policy 04.13 – Criminal History Checks
6. Resolution

CITY COUNCIL POLICY

CITY OF NATIONAL CITY

TITLE: Use of Volunteers by the City Council

POLICY #603

ADOPTED: DRAFT

AMENDED:

Purpose

Members of the City Council may require support in their efforts to stay abreast of local, state and federal legislative matters that may impact the City, attend community meetings with individuals and groups, receive and respond to constituent questions/concerns (both in person and in written communications), and serve on various boards and commissions. In addition to the administrative support provided by employees assigned to the City Council, individual members of the City Council may require additional periodic or on-going support which may be achieved through the use of volunteers. The duties performed by volunteers may vary dependent upon the knowledge, skills and abilities of the individual(s) and the needs of the Council office. The purpose of this policy is to establish guidelines for the use of volunteers by members of the City Council.

Definitions

City Council – the legislative body elected to govern the City of National City, comprised of the Mayor and City Councilmembers.

Elected Official – for purposes of this policy, elected official refers to the Mayor and City Councilmembers.

Volunteer – an individual who is donating time to the City without monetary compensation for hours worked. Volunteers include unpaid student interns and students seeking community service hours in compliance with school district graduation requirements.

Policy

Elected Officials:

1. The decision to use volunteers shall be at the discretion of each individual elected official.
2. The elected official has the sole responsibility for the selection of volunteers, the assignment of duties and the establishment of a work schedule.
3. Elected officials shall not assign a volunteer to represent them in meetings that require the presence of an appointed (an elected official serving as an appointed board member or commissioner) or elected official.

Volunteers:

1. Volunteers shall serve at the will of the elected official with no rights to permanent employment (either paid or unpaid); and with no rights to an appeal if the volunteer assignment is terminated by the elected.
2. In all communications representing the Council office, including those with City staff, community members, businesses or other agencies, volunteers shall only represent the interests and/or opinions of the elected official to whom he/or she reports. At no time shall a volunteer be granted the authority to represent the interest and/or opinions of the City Council as a body or the City as an agency.
3. Volunteers may be given name badges to be worn when assigned to work in the community or when attending meetings on behalf of the elected official. All such badges shall be in conformance with the City's adopted standard for such a badge. Name badges shall not be worn by volunteers at times when they are not scheduled or assigned to work in their volunteer capacity.
4. Volunteers may not engage in political activities on City premises or using City equipment; or during periods of time when on duty as a volunteer. Volunteers are considered on duty during periods of an assigned work schedule or when otherwise asked by an elected official to work in the office or to attend an event on his/her behalf as their representative.

Procedures

The selection and use of volunteers by elected officials shall be subject to the general administrative guidelines established by the City Manager under Administrative Policies 04.09 and 04.13, Volunteers and Unpaid Interns; and Criminal History Checks, respectively, including but not limited to the preparation and submission of attendance logs for all volunteers.

Related Policy References

Administrative Policy 04.09 – Volunteers and Unpaid Interns
Administrative Policy 04.13 – Criminal History Checks

CITY OF NATIONAL CITY
VOLUNTEER'S MONTHLY TIMESHEET

Volunteers must complete this time sheet and give it to the supervisor on the last working day of the month. Supervisors must send the completed form to the Human Resources Department by the 5th of the month.

Volunteer's Name: _____ Month of: _____

Department: _____ Supervisor: _____

Date	In	Out	# Hours	Work Station	Job Assignment	Spv's Initials
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						

X

Volunteer's Signature

X

Supervisor's Signature

VOLUNTEER COUNCIL REPRESENTATIVE	CITY OF NATIONAL CITY
DESCRIPTION	February 18, 2016 <u>Revised January 17, 2018</u>

DEFINITION

Under direction of assigned Councilmember, to perform a variety of duties involved in providing assistance to assigned City Councilmember; to represent Councilmember as assigned; and to perform related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This is a volunteer opportunity not governed by Civil Service. All such volunteers are selected by and serve at the discretion of one or more City Councilmembers. There is no compensation associated with this position and the duties are not intended to usurp those of compensated staff positions.

NOTE: Volunteer Council Representatives may not engage in political activities on behalf of City Councilmembers on City premises or using City equipment or during periods of time when ~~logged-on duty in~~ as a volunteer. Volunteer Council Representatives are considered on duty during periods of an assigned work schedule or when otherwise asked by a Councilmember to work in the office or to attend an event on their behalf as their representative.

EXAMPLES OF TYPICAL DUTIES

The following duties and responsibilities are representative of those performed by individuals assigned to this volunteer opportunity. Any single individual may not perform all of these duties and/or may perform similar related tasks not listed here.

Serves as a liaison between Councilmember and policy makers, constituents and other City departments; receives, follows up, and responds to citizen's complaints, inquiries, and requests for information and assistance; interviews and assists office visitors; ensures Councilmember is informed and aware of constituent input, inquiries, and concerns; screens and briefs Councilmember on incoming correspondence; attends committee meetings, meetings with City staff, and community events with or in the absence of the Councilmember; makes oral presentations to small groups or individuals on behalf of the Councilmember when such presentations do not require an appointed (Councilmember serving as a board member or commissioner) or elected official; follows up on Council direction to staff; researches, compiles, analyzes, and summarizes data for special projects and various reports; assists Councilmember in researching and analyzing committee and City Council agenda items.

MINIMUM QUALIFICATIONS

There are no minimum qualifications for this volunteer assignment.

VOLUNTEER COUNCIL REPRESENTATIVE	CITY OF NATIONAL CITY
DESCRIPTION	February 18, 2016 Revised January 17, 2018

DEFINITION

Under direction of assigned Councilmember, to perform a variety of duties involved in providing assistance to assigned City Councilmember; to represent Councilmember as assigned; and to perform related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This is a volunteer opportunity not governed by Civil Service. All such volunteers are selected by and serve at the discretion of one or more City Councilmembers. There is no compensation associated with this position and the duties are not intended to usurp those of compensated staff positions.

NOTE: Volunteer Council Representatives may not engage in political activities on behalf of City Councilmembers on City premises or using City equipment or during periods of time when on duty as a volunteer. Volunteer Council Representatives are considered on duty during periods of an assigned work schedule or when otherwise asked by a Councilmember to work in the office or to attend an event on their behalf as their representative.

EXAMPLES OF TYPICAL DUTIES

The following duties and responsibilities are representative of those performed by individuals assigned to this volunteer opportunity. Any single individual may not perform all of these duties and/or may perform similar related tasks not listed here.

Serves as a liaison between Councilmember and policy makers, constituents and other City departments; receives, follows up, and responds to citizen's complaints, inquiries, and requests for information and assistance; interviews and assists office visitors; ensures Councilmember is informed and aware of constituent input, inquiries, and concerns; screens and briefs Councilmember on incoming correspondence; attends committee meetings, meetings with City staff, and community events with or in the absence of the Councilmember; makes oral presentations to small groups or individuals on behalf of the Councilmember when such presentations do not require an appointed (Councilmember serving as a board member or commissioner) or elected official; follows up on Council direction to staff; researches, compiles, analyzes, and summarizes data for special projects and various reports; assists Councilmember in researching and analyzing committee and City Council agenda items.

MINIMUM QUALIFICATIONS

There are no minimum qualifications for this volunteer assignment.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: October 17, 2017

AGENDA ITEM NO. |

ITEM TITLE:

Discussion of the policy and standards for interns and volunteer council representatives working in the offices of the City Council.

PREPARED BY: Stacey Stevenson

PHONE: 336-4308

EXPLANATION:

See attached staff report.

DEPARTMENT: City Manager's Office

APPROVED BY: 

FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, is not subject to environmental review.

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Staff recommends that the City Council give consideration to the development of a Council Policy governing the use of all types of volunteers by the City Council.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Staff Report



City Council Staff Report

October 17, 2017

ITEM

Staff Report: Discussion of the policy and standards for interns and volunteer council representatives working in the offices of the City Council.

BACKGROUND

At the September 5, 2017 meeting of the City Council of the City of National City, staff was directed to return with a report on the policy and standards for interns and volunteer council representatives utilized by the City Council. As will be discussed, the policy and standards for interns and volunteers utilized by the five member City Council are generally the same as the policy and standards for other City departments. The report, as presented, seeks to define the types of volunteer opportunities available through the City, including interns and volunteer council representatives; the requirements; and how they are utilized.

DISCUSSION

The efforts of the City's paid staff to provide services to the residents, businesses and visitors of National City are complemented by the efforts of the City volunteer workforce. Volunteers are used throughout the agency and perform many functions, from one day, single event community services projects to longer term assignments in virtually every City department, including the offices of the Mayor and Councilmembers (the City Council).

Requirements for Volunteers

There are generally three (3) types of volunteers. The types will be discussed later in this report. Irrespective of the type of volunteer used or the department in which the volunteer is serving, there are some basic requirements that are applicable to all, including those individuals volunteering in the offices of the City Council. Under the terms of City of National City Administrative Policy 04.09, Volunteers and Unpaid Interns (attached):

1. All volunteers must have an application on file with the Human Resources Department (HR). In some cases, perspective volunteers first apply with HR and their applications are forwarded to the department(s) best matching their desired area of involvement. However, from time to time, a department representative or elected official may identify

a volunteer candidate in advance. In such cases, HR is notified by the department or elected official and HR requests that the perspective volunteer complete the application.

2. All volunteers must be at least 15 ½ years of age; and all minors under the age of 18 must have a valid work permit issued by the minor's school district or the approval of a parent or guardian in the form of a signature.
3. Volunteers donating 20 or more hours of time per fiscal year must successfully complete a background check. For students seeking community service hours in compliance with school district graduation requirements, the threshold for a background check is 35 hours of time per fiscal year.
4. All volunteers are required to keep a record of each day worked to include the date, start time and end time. These records are forwarded to HR by the departments and elected offices at the end of each month.

Types of Volunteers

Volunteer is the umbrella or primary designation for anyone donating time to provide services without monetary compensation. As stated above, volunteers are used throughout the agency, including in the offices of the City Council. The duties performed and hours worked by volunteers are varied, dependent on the individual's area of interest, knowledge, skills and abilities; and the needs of the department.

In addition to general volunteers, the City engages the services of two (2) subcategories of volunteers: unpaid interns and volunteer council representatives¹. All unpaid interns and volunteer council representatives are volunteers. However, not all volunteers are unpaid interns or unpaid council representatives. Thus, while these three terms are often used throughout the organization interchangeably (particularly the terms volunteer and intern), there is actually specific meaning to each, and within the Human Resources Department, all volunteers are tracked and coded by the proper designation dependent on the nature of the individual's service.

Unpaid interns are students or recent college graduates seeking opportunities to gain exposure to and work experience in their area of study. Students are considered interns when they are affiliated with their school's formal internship program. Such students are typically required by their school to work a prescribed number of hours in their area of study. A work plan is developed by the City department representative or elected official at the beginning of the internship and must be approved by the school. Hours worked and a performance appraisal are provided to the school at the end of the assignment². The student will either receive college credits or a letter grade for completing the internship. While most of the City's interns are college students, on occasion the City has received and accepted requests from local high schools. Students volunteering with the City outside of a formal academic internship program are

¹ A third subcategory, board members and commissioners has been excluded for purposes of this report.

² Paid internships are defined in this same manner.

classified as volunteers (exception: as previous noted, recent college graduates may be classified as interns).

Volunteer council representatives, as the name would imply, are volunteers that work in the offices of City councilmembers. Volunteer council representatives are subject to the same general requirements as other volunteers as outlined above. And like other volunteers, the duties performed are broad and are dependent on the knowledge, skills and abilities of the volunteer and the needs of the councilmember. In February, 2016, with the assistance of the City Council, HR developed a volunteer council representative position description (attached). As outlined, volunteer council representatives:

1. Are selected by and serve at the discretion of one or more councilmembers.
2. May work in the office and/or in the community.
3. May attend meetings or make presentations on behalf of the councilmember (when such presentations do not require an appointed or elected official).
4. May not engage in political activities on behalf of the councilmembers on City premises or using City equipment or during periods of time when logged in as a volunteer.

As described, volunteers and the two subcategories of volunteers are different than employees. Volunteers are not paid for their time, they are at-will, the hours worked are flexible, the type of work performed is flexible and left to the discretion of the department or elected official utilizing the services of the volunteer.

RECOMMENDATION

Staff recommends that the City Council give consideration to the development of a Council Policy governing the use of all types of volunteers by the City Council.

FISCAL IMPACT

There is no fiscal impact associated with this report.

Attachments:

1. Administrative Policy 04.09 – Volunteers and Unpaid Interns
2. Position Description – Unpaid Council Representatives

TITLE: City Administrative Manual		
SUBJECT: Volunteers and Unpaid Interns		
VOLUME NO. 1	PAGE NO. 1 OF 3	INSTRUCTION NO. 04.09
CITY MANAGER APPROVAL:	EFFECTIVE DATE: 9/2000	REVISION DATE: 6/3/2013

PURPOSE
 To establish guidelines for non-employees and employees to volunteer and/or intern within City departments. When appropriately trained and supervised, the skills and talents of volunteers/interns can supplement existing services and encourage civic and community pride.

The objectives of the program are to:

- Provide volunteers/interns an opportunity for meaningful service to, and direct participation in the operation of City government.
- Enhance the City's service delivery system to the community.
- Provide staff with supplemental team members that contribute worth and quality to the operation.
- Provide residents with continued high level and quality of service.

RESPONSIBILITY
 It is the responsibility of each department head to:

1. Identify viable volunteer/internship opportunities that will enhance business operations without undue disruption.
2. Ensure that all volunteers/interns are properly trained and supervised.
3. Ensure that volunteer hours are properly tracked.

It is the responsibility of the Human Resources Department to:

1. Perform any necessary background checks as called for by the City's Background Check Policy 04.13.
2. Maintain a database of all registered volunteers/interns.

DEFINITIONS
 Volunteer – an individual who is donating time to the City without monetary compensation for hours worked including students seeking community service hours in compliance with school district graduation requirements.

Episodic volunteer – an individual who is donating less than 20 hours of time per fiscal year. For students seeking community service hours in compliance with school district graduation requirements, episodic volunteer is defined as less than 35 hours of time per fiscal year.

Unpaid interns – an individual who generally is in college or has just completed a college degree and is donating more than 20 hours of their time. A higher level of work expectation is required of an intern.

TITLE: City Administrative Manual		
SUBJECT: Volunteers and Unpaid Interns		
VOLUME NO. 1	PAGE NO. 2 OF 3	INSTRUCTION NO. 04.09
CITY MANAGER APPROVAL:	EFFECTIVE DATE: 9/2000	REVISION DATE: 6/3/2013
<p><u>POLICY</u></p> <p>Non-employees must be at least 15 ½ year of age, with all minors under the age of 18 having a valid work permit issued by the minor's school district or the approval of a parent or guardian in the form of a signature.</p> <p>An employee may only volunteer his/her services outside of his/her normal working hours unless otherwise authorized by the City Manager or the City Manager's designee. A volunteer position is one that is outside the scope of duties intended for members of the employee's job classification as identified by the official class specification or actual practice, whichever is more restrictive.</p> <p>Volunteers/interns, other than episodic volunteers, must successfully complete a background check in compliance with the City Administrative Policy 04.13.</p> <p>At the time of selection, volunteers/interns must be recorded into the City-wide volunteer database maintained by the Human Resources Department.</p> <p><u>PROCEDURE</u></p> <p>A. Non-Employee Volunteer/Intern Applicant.</p> <ol style="list-style-type: none"> 1. All non-employee potential volunteer/intern applicants must complete a Volunteer Application through the Human Resources Department. 2. Volunteer applications filed with Human Resources will be forwarded to the department(s) in which the applicants specify an interest in working. 3. Upon selection of volunteers/interns, the selecting department shall forward the original signed applications of all accepted volunteers/interns to the Human Resources Department with the exception of Police Department volunteer/intern applications which shall be maintained by the Police Department. 4. A volunteer/intern may not begin his/her assignment prior to successful completion of a background check in compliance with the City Administrative Policy 04.13 <p>B. Employee Volunteer Applicant.</p> <ol style="list-style-type: none"> 1. Employees may outreach directly to departments with which they are interested in volunteering or interning. 		

TITLE: City Administrative Manual		
SUBJECT: Volunteers and Unpaid Interns		
VOLUME NO. 1	PAGE NO. 3 OF 3	INSTRUCTION NO. 04.09
CITY MANAGER APPROVAL:	EFFECTIVE DATE: 6/3/2013	REVISION DATE:
<p>2. Departments shall forward to Human Resources the names of employees selected to serve as volunteers/interns.</p> <p>C. All Volunteer/Intern Applicants (including episodic volunteers and employees)</p> <ol style="list-style-type: none"> 1. All volunteers must be pre-approved to work in any City department prior to beginning work (no walk-in's). 2. All volunteers must sign in each day work. Sign in records shall include the date, the name and signature of the volunteer and his/her start and end time each day (Attachment 1). 3. Episodic volunteers will not handle cash and will not work with or near children without direct supervision. 4. Volunteers are subject to the provisions of all applicable Administrative Policies, Council Policies and departmental procedures. <p><u>REFERENCE</u></p> <p>Administrative Policy 04.13 City Volunteer Manual</p>		

VOLUNTEER COUNCIL REPRESENTATIVE	CITY OF NATIONAL CITY
DESCRIPTION	February 18, 2016

DEFINITION

Under direction of assigned Councilmember, to perform a variety of duties involved in providing assistance to assigned City Councilmember; to represent Councilmember as assigned; and to perform related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This is a volunteer opportunity not governed by Civil Service. All such volunteers are selected by and serve at the discretion of one or more City Councilmembers. There is no compensation associated with this position and the duties are not intended to usurp those of compensated staff positions.

NOTE: Volunteer Council Representatives may not engage in political activities on behalf of City Councilmembers on City premises or using City equipment or during periods of time when logged in as a volunteer.

EXAMPLES OF TYPICAL DUTIES

The following duties and responsibilities are representative of those performed by individuals assigned to this volunteer opportunity. Any single individual may not perform all of these duties and/or may perform similar related tasks not listed here.

Serves as a liaison between Councilmember and policy makers, constituents and other City departments; receives, follows up, and responds to citizen's complaints, inquiries, and requests for information and assistance; interviews and assists office visitors; ensures Councilmember is informed and aware of constituent input, inquiries, and concerns; screens and briefs Councilmember on incoming correspondence; attends committee meetings, meetings with City staff, and community events with or in the absence of the Councilmember; makes oral presentations to small groups or individuals on behalf of the Councilmember when such presentations do not require an appointed (Councilmember serving as a board member or commissioner) or elected official; follows up on Council direction to staff; researches, compiles, analyzes, and summarizes data for special projects and various reports; assists Councilmember in researching and analyzing committee and City Council agenda items.

MINIMUM QUALIFICATIONS

There are no minimum qualifications for this volunteer assignment.

TITLE: City Administrative Manual		
SUBJECT: Criminal History Checks		
VOLUME NO. 1	PAGE NO. 1 OF 4	INSTRUCTION NO. 04.13
CITY MANAGER APPROVAL:	EFFECTIVE DATE: 6/3/2013	REVISION DATE: 05/05/14

PURPOSE

City of National City employees, independent contractors, volunteers and interns serve in positions of responsibility. The purpose of this policy is to assist the City in identifying candidates that are worthy of the public trust bestowed upon them by virtue of their positions. Criminal history checks are one mechanism used to select the most appropriate individuals for the position under consideration. In addition to the requirements of City policy, some positions are subject to criminal history checks under State and/or Federal law. In such cases, if there is a conflict between City policy and State or Federal law, applicable provisions of State and Federal law shall prevail.

This policy also assists the City in properly managing the receipt and utilization of criminal history information received by the City post employment or placement. Herein, placement denotes the placement of a contractor, volunteer or intern into an assignment with the City.

RESPONSIBILITY

It is the responsibility of the Human Resources Department to conduct or oversee the conduct of criminal background investigations of prospective employees, independent contractors, volunteers and interns in a manner consistent with local, State and Federal law; and to ensure that access to information gathered is limited to those with an absolute need to know.

This policy document is applicable to all City departments with the exception of the Police Department. Criminal history checks and other background processes for positions within the Police Department will be administered by the Police Department following the department's internal procedures.

This policy is applicable to volunteers serving within departments and/or positions under the authority of the City Manager. This policy is not applicable to episodic volunteers.

DEFINITIONS

Employee – an individual receiving wages for serving in a position within the City's classification and compensation system. Employees may serve in positions that are full-time, part-time, career, temporary or limited.

Independent Contractor – the definition of an independent contractor is contained within Administrative Policy 03.10

Volunteer – an individual who is donating time to the City without monetary compensation for hours worked, including students seeking community service hours in compliance with school district graduation requirements.

TITLE: City Administrative Manual		
SUBJECT: Criminal History Checks		
VOLUME NO. 1	PAGE NO. 2 OF 4	INSTRUCTION NO. 04.13
CITY MANAGER APPROVAL:	EFFECTIVE DATE: 6/3/2013	REVISION DATE:
<p>Episodic volunteer – an individual who is donating less than 20 hours of time per fiscal year. For students seeking community service hours in compliance with school district graduation requirements, episodic volunteer is defined as less than 35 hours of time per fiscal year.</p> <p>Unpaid interns – an individual who generally is in college or has just completed a college degree and is donating more than 20 hours of their time. A higher level of work expectation is required of an intern.</p> <p><u>POLICY</u></p> <p>It is the policy of the City of National City to investigate the criminal history of candidates whom the City is considering as employees, independent contractors, volunteers or interns. As allowed under California Penal Code Section, criminal history information will be obtained from Federal and State records via fingerprinting. It is the policy of the City of National City to fingerprint candidates age 18 years and older. Candidates under the age of 18 shall be subject to a local background check. Upon turning 18, if still engaged with the City, such individuals shall be fingerprinted. This information will be used to determine whether a candidate has had a criminal conviction that is relevant to the position. The City shall not consider individuals for positions as employees, independent contractors, volunteers or interns who have been convicted of a felony or a misdemeanor involving moral turpitude (see Appendix A for specific penal code convictions).</p> <p>In such cases where position, department, board or commission criminal background guidelines have been established and approved by the City Manager and/or the City Council, such guidelines shall supersede the general City-wide guidelines. In no case shall position, department, board or commission specific criminal background guidelines impose less stringent requirements than contained herein.</p> <p>After hire, a report of prior conviction or subsequent conviction shall be cause for termination of any employee or volunteer, if the subject felony or misdemeanor is for a crime specified in Appendix A, or is determined by the City to be substantially similar in nature to those specified in Appendix A. Nothing in this policy shall be deemed to deny individuals any appeal rights granted to them through City of National City Civil Service Rules and/or local, State and Federal law.</p> <p>Both during the application phase and after hire, a conviction may be disregarded if it is found and determined that mitigating circumstances exist, such as, but not limited to, evidence of rehabilitation, length of time elapsed since such conviction, the age of such person at the time of conviction, or the fact that the classification applied for is unrelated to such conviction, and Federal or State law does not require such disqualification or termination.</p>		

TITLE: City Administrative Manual		
SUBJECT: Criminal History Checks		
VOLUME NO. 1	PAGE NO. 3 OF 4	INSTRUCTION NO. 04.13
CITY MANAGER APPROVAL:	EFFECTIVE DATE: 6/3/2013	REVISION DATE:
<p>Upon reaching 20 hours of volunteer service in a fiscal year (35 hours for students seeking community service hours as a graduation requirement), an episodic volunteer must withdrawn for the remainder of the fiscal year or comply with the provisions of this policy prior to any further service for that fiscal year.</p> <p><u>PROCEDURE</u></p> <ol style="list-style-type: none"> 1. Hiring departments shall notify the Human Resources Department when candidates are given conditional offers of employment, contract assignment, volunteer opportunity or internship. Upon receiving notification, the Human Resources Department shall schedule all such candidates for fingerprinting (or local background check for candidates under 18 years of age). Unless otherwise authorized by the City Manager or designee, in no case shall an applicant begin an assignment prior to successfully completing the background investigation process. 2. Prior to conducting the background check and/or fingerprinting, the Human Resources Department shall require all referred candidates ages 18 years and older to read and sign a Background Investigation Waiver and Authorization to Release Information form authorizing the City to conduct reference and background checks (including obtaining criminal records). 3. Upon receipt of information regarding a conviction and/or arrest pending trial, the Human Resources Director or designee shall evaluate the effect and potential effect of the candidate's conviction(s) or arrest (pending trial) on the position, the City, fellow employees and the public and shall take appropriate action to maximize public safety and minimize potential liability while respecting the rights of the candidate. The Human Resources Director may consult with the City Manager and/or City Attorney before reaching a final determination. <p>If sufficient mitigating circumstances are found, the selection process shall continue. However, in such cases where the criminal history of a candidate is not mitigated, the Human Resources Department shall notify the hiring department and send a letter of disqualification to the candidate.</p> 4. After hire, the City maintains the right to receive notification of employee arrests and convictions. Upon receipt of information regarding a conviction and/or arrest pending trial, the Human Resources Director or designee shall evaluate the effect and potential effect of the employee's conviction(s) or arrest (pending trial) on the position, the City, fellow employees and the public and shall take appropriate action to maximize public safety and minimize potential liability while respecting the rights of the employee. 		

TITLE: City Administrative Manual		
SUBJECT: Criminal History Checks		
VOLUME NO. 1	PAGE NO. 4 OF 4	INSTRUCTION NO. 04.13
CITY MANAGER APPROVAL:	EFFECTIVE DATE: 6/3/2013	REVISION DATE:
<p>5. Department heads may be consulted as appropriate to determine the specific proposed responsibilities of the candidate or employee and how the conviction or arrest may impact the fulfillment of those responsibilities, fellow employees and the public.</p> <p>6. Human Resources Director may consult with the City Manager and/or City Attorney (before reaching a final determination. In cases of arrest pending trial, the City Manager, City Attorney or Human Resources Director may direct a fact finding investigation prior to reaching a decision.</p> <p>If sufficient mitigating circumstances are found, employee may continue. However, in such cases where the criminal history of an employee is not mitigated, the Human Resources Department shall notify the employee's appointing authority to initiation appropriate disciplinary action up to and including termination in a manner consistent with City policy, Civil Service Rules, State and Federal law.</p> <p>Summary criminal history information is confidential and shall not be disclosed by Human Resources, except to the department head, City Attorney and City Manager. Such information shall not be used in any other decision making process.</p> <p>The Human Resources Department shall be responsible for ensuring that criminal history information remains confidential and only persons with a clear need for the information will have access to a file. The inappropriate disclosure of criminal history information will be taken seriously and appropriate disciplinary action may be taken.</p> <p><u>REFERENCE</u> Administrative Policy 04.09</p>		

ADMINISTRATIVE POLICY 04.13, BACKGROUND CHECKS
APPENDIX A

Specific Convictions and Positions

- A. With respect to all prospective employees, independent contractors, volunteers and interns, a conviction of any of the following Penal Code sections, shall be grounds for disqualification or termination:

Section 68:	Asking for or receiving bribes
Section 72:	Presentation of fraudulent claims
Section 73, 74:	Bribes for appointment to office
Section 187, 189:	Murder
Section 192:	Manslaughter; voluntary, involuntary, and vehicular
Section 203:	Mayhem
Section 209:	Kidnapping for ransom, extortion or robbery
Section 211:	Robbery - taking personal property in possession of someone by force or fear
Section 245:	Assault with a deadly weapon
Section 261:	Rape
Section 459:	Burglary
Section 484:	Theft
Section 490.5:	Shoplifting
Section 503:	Embezzlement - fraudulent appropriation of property by a person to whom it has been entrusted
Section 518:	Extortion - obtaining property by a wrongful use of force or fear or under a color of official right

- B. With respect to all prospective employees, independent contractors, volunteers and interns for positions working with or supervising minors, in addition to “A” above, a conviction of any of the following code sections shall be grounds for disqualification or termination:

1. Violations or attempted violations of Penal Code Sections 220, 261.5, 262, 273a, 273d, or 273.5, 288, or any sex offense listed in Section 290.
2. Any crime described in the California Uniform Controlled Substances Act (Division 10 [commencing with Section 11000] of the California Health and Safety Code), except for marijuana related offenses two years or older, more specifically the following types of convictions two years or older: Health and Safety Code sections 11357(b), 11357(c), any statutory predecessor thereof, 11360(c), 11364, 11365, 11550 and their statutory predecessors.
3. Any felony or misdemeanor conviction within 10 years of the City’s request for background information for a violation or attempted violation of Chapter 3 of Title 8 of the Penal Code (commencing with Section 207), Sections 211 to 215,

wherein it is charged and proved that the defendant personally used a deadly or dangerous weapon, as provided in subdivision (b) of Section 12022, in the commission of that offense, Section 217.1, Chapter 8 of Title 8 of the Penal Code (commencing with Section 236), Chapter 9 (commencing with Section 240), and for violation of any of the offenses specified in subdivision (c) of Section 667.5.

4. Any felony or misdemeanor conviction under Penal Code Section 311, et seq., photographic use of children relative to sexual conduct.

- C. With respect to all prospective employees, independent contractors, volunteers and interns for positions working with public funds or public records, in addition to “A” above, a conviction of any of the following Penal Code sections shall be grounds for disqualification or termination:

Section 115, 115.3:	Use of a false or forged public record or alteration of a certified copy of a public record
Section 424:	Embezzlement and falsification of accounts
Title 13, Chapter 4:	Any violation of forgery and counterfeiting

- D. With respect to prospective members of the Community and Police Relations Commission, the following disqualifying criteria has been established by the City Council:

		Lifetime	20 years	15 years	10 years	5 years
Felonies						
Crimes against Persons	<i>*including but not limited to</i>					
	Assault & Battery	X				
	Domestic Violence	X				
	Elder/Child Abuse	X				
	Manslaughter			X		
	Murder	X				
	Sexual Acts w/ Minor	X				
	Rape	X				
Crimes against Property	<i>*including but not limited to</i>					
	Arson		X			
	Burglary			X		
	Embezzlement			X		
	Extortion			X		
	Fraud			X		

		Lifetime	20 years	15 years	10 years	5 years
Felonies (con't)						
	Forgery & Counterfeiting			X		
	Possession of stolen property			X		
Crimes against Property	<i>*including but not limited to</i>					
	Theft			X		
Crimes involving Drugs	<i>*including but not limited to</i>					
	Illegal Drug Use			X		
	Possession or Sales			X		
	Production of Drugs			X		
Crimes against Public Justice						
	Bribery & Corruption			X		
	Impersonating a Peace Officer			X		
Misdemeanors						
Crimes of Moral Turpitude	<i>*including but not limited to</i>					
	Burglary				X	
	Embezzlement				X	
	Forgery				X	
	Fraud				X	
	Possession of stolen property				X	
	Theft				X	
Crimes involving Drugs or Alcohol	<i>*including but not limited to</i>					
	Disorderly Conduct					X
	Under the Influence					X
	Unlawful Possession					X
Crimes against Persons	<i>*including but not limited to</i>					
	Assault & Battery					X
	Manslaughter				X	

**ADMINISTRATIVE POLICY 04.13, BACKGROUND CHECKS
APPENDIX B**



**CITY OF NATIONAL CITY
Criminal Background Investigation
Waiver and Authorization to Release Information**

I, _____, applicant for the position of _____
_____ authorize and consent to the City of National City
obtaining records of any criminal convictions and any arrests pending trial, including
information regarding the nature of such criminal convictions and all surrounding circumstances
available through lawful means. The City of National City has advised me that any criminal
background check will focus on convictions, and that a conviction as such will not necessarily
disqualify me from employment.

I also waive any and all rights and claims I may have against the City of National City, its
employees, representatives or agents from liability, claims, or damages that may directly or
indirectly result from the use, disclosure, or release of such information, by any person or party,
whether such information is favorable or unfavorable to me.

I understand that any offer of employment, volunteer opportunity or internship is contingent in
part upon successful completion of the background investigation process and that any false or
misleading information I have provided to the City of National City may result in withdrawal of
such offer.

It is with full understanding and consent that I agree that this authorization may be used only for
the purposes stated above.

Applicant's Printed Name

Applicant's Signature

Date

The following page(s) contain the backup material for Agenda Item: Notice of Decision
Planning Commission approval of a Zone Variance to allow conversion of an office
building to an apartment building located at 2530 East Plaza Boulevard. (Applicant:
Joseph Wong) (Case File: 2017-14 Z) (Planning)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO. |

ITEM TITLE:

Notice of Decision – Planning Commission approval of a Zone Variance to allow conversion of an office building to an apartment building located at 2530 East Plaza Boulevard. (Applicant: Joseph Wong) (Case File 2017-14 Z)

PREPARED BY: Martin Reeder, AICP 

DEPARTMENT: Planning

PHONE: 336-4381

APPROVED BY: 

EXPLANATION:

The applicant is proposing to convert an existing office building (previously a Social Security Administration office) into a 13-unit apartment complex. Construction would include the remodel of, and an addition to, the existing building. A Zone Variance is necessary because the property does not conform to current development standards, including a street wall requirement and parking setbacks from the street.

The Planning Commission conducted public hearings on August 21 and December 4, 2017, and January 22, 2018. Commissioners asked questions regarding site access and circulation. The Commission voted to approve the Variance based on required findings and subject to Conditions of Approval.

The attached Planning Commission staff report describes the proposal in detail.

FINANCIAL STATEMENT:

ACCOUNT NO. |

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

Not a project per California Environmental Quality Act (CEQA)

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

BOARD / COMMISSION RECOMMENDATION:

The Planning Commission approved the Conditional Use Permit.

Ayes: DelaPaz, Garcia, Sendt, Quintero, Yamane Absent: Baca, Flores

ATTACHMENTS:

- | | |
|-------------------------------------|-----------------------------|
| 1. Overhead | 3. Resolution No. 2018-01 a |
| 2. Planning Commission Staff Report | 4. Reduced Plans |

2017- 14 Z – 2530 East Plaza Boulevard – Overhead





CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: CONTINUED PUBLIC HEARING – ZONE VARIANCE TO
ALLOW CONVERSION OF AN OFFICE BUILDING TO AN
APARTMENT BUILDING LOCATED AT 2530 EAST PLAZA
BOULEVARD

Case File No.: 2017-14 Z

Location: 2530 East Plaza Boulevard

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Joseph Wong

Zoning designation: Minor Mixed-Use Corridor (MXC-1)

Staff recommendation: Approve

BACKGROUND

Staff Recommendation

The Planning Department is recommending approval of the Variance. Although there is no traditional special circumstance applicable to the property (size, shape, topography, location, or surroundings) to approve of the Variance, there is a hardship due to the location of existing buildings on the property and cost associated with redeveloping the site to current standards. In addition, the project would provide additional housing options in the City. Findings for both denial and approval are included and analyzed in this report.

Executive Summary

The applicant is proposing to convert an existing office building (previously a Social Security Administration office) into a 13-unit apartment complex. Construction would include the remodel of, and an addition to, the existing office building.

A Zone Variance ("Variance") is necessary because the property does not conform to current development standards, including a street wall requirement and parking setbacks from the street. Furthermore, the Variance would serve to modify a Planned Development (PD) permit (PD-1991-6) and its Conditions of Approval because this type of PD permit no longer exists, but the Conditions of Approval are still applicable.

Previous Action

This item was originally scheduled to be heard at the August 21st, 2017 Planning Commission hearing; however, the applicant requested the item be continued in order to redesign the project to address staff concerns regarding compatibility of the proposed apartment complex with the existing car wash. A re-noticed public hearing was held on December 4, 2017, at which time the Commission continued the item in order to explore site design options related to access and circulation. Specifically, the Planning Commission suggested exploring the option of accessing the site from the Galleria shopping center located to the east, and accessing the residential building from a dedicated driveway off of Euclid Avenue.

New Information

The applicant explored both options suggested by the Planning Commission, but found that neither would work. Access from the Galleria would not allow vehicles to access the car wash efficiently and would result in vehicles stacking on the adjacent property. In addition, the area immediately adjacent to the car wash is occupied by storage, parking, and landscape area, as well as being at a higher grade. The separate residential driveway is likewise untenable due to the grade differential between Euclid Avenue and the basement parking garage. A new driveway would end up being a 20% grade, which is the maximum accessible grade for fire apparatus. The driveway would also remove the five parking spaces currently outside of the garage, as well as existing landscaping. Another issue would be that there would be no area in which to turn around if a non-resident vehicle were to take the wrong driveway and need to exit.

In order to address circulation issues, the applicant has worked with the car wash to increase stacking of vehicles prior to the automatic car wash. This is accomplished by moving the vacuum area further to the south and by creating an additional intake lane. The proposed stacking capacity would be 20 vehicles, more than double the previous capacity of eight vehicles. A "Keep Clear" box will also be striped at the entrance to the residential vehicle access point. This would allow free access for building residents without getting

caught in peak car wash queueing. In addition, the new double-stack design would result in vehicles needing to queue off of the Euclid Avenue driveway. The previously-planned speedbump located adjacent to the AutoZone building is still proposed.

Analysis

The proposed conversion of the office building to 13 units would result in drastically reduced traffic from the previously-approved condition. According to the *Brief Guide of Traffic Generation Rates for the San Diego Region*, which is published by SANDAG (San Diego Association of Governments), a 7,724 square-foot office building would generate approximately 1,300 average daily trips (ADT); whereas, a 13-unit apartment building is projected to generate 78 ADT. The site functioned for many years with the Social Security Office without any reported issues other than anecdotal peak traffic circulation issues. Therefore, no traffic or circulation impacts are expected with the building being converted to residences.

The project would increase housing stock in the City and put a long-standing vacant building to use. Previous issues related to separation of residential and commercial uses have been remedied. Potential issues are further reduced by the difference in active hours of the two uses, with the car wash being active during the day and the residents mostly active in the evening/early morning hours. Therefore, staff is in support of the proposed use.

Summary

The proposed mixed-use development is permitted by the Land Use Code and Minor Mixed-Use Corridor (MXC-1) zone; however, the proposal is inconsistent with development standards in this zone that require developments be constructed to the property line (75% street wall) and that parking lots be setback from property lines generally behind structures.

Furthermore, the project was approved by a PD permit that authorized an auto parts store, car wash, and an office building. The Planning Department believes the original approval should remain in place until the applicant decides to redevelop the property to be consistent with current development standards.

Recommendation

The Planning Department anticipates that approval of the project would have a mostly positive effect on the community, particularly due to the proposed use being significantly

less intense than the previous use. However, there are no special circumstances applicable to the property (size, shape, topography, location, or surroundings) to approve the Variance, other than the location of existing buildings on the property and cost associated with redeveloping the site to current standards.

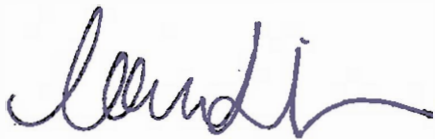
The conversion would provide additional housing stock, removal of a long-standing (five years) commercial vacancy, and provide a mix of land uses. It may be possible to consider the location of existing buildings and the strict application of Title 18 as a special circumstance applicable to the property because the entire site would need to be redeveloped in order to construct a mixed-use development that meets current standards.

OPTIONS

1. Approve 2017-14 Z subject to the conditions listed below, based on attached findings and/or findings to be determined by the Planning Commission; or
2. Deny 2017-14 Z based on attached findings and/or to be determined by the Planning Commission; or,
3. Continue the item in order to obtain additional information.

ATTACHMENTS

1. Recommended Findings
2. Revised recommended Conditions of Approval
3. Overhead
4. Site photos
5. Applicant's Plans (Exhibit B, case file no. 2017-14 Z, dated 1/4/2018)
6. December 4, 2017 Planning Commission staff report
7. Resolutions



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Deputy City Manager

RECOMMENDED FINDINGS FOR APPROVAL

Case File No. 2017-14 Z – 2530 East Plaza Boulevard

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification, because the location of existing buildings and the strict application of Title 18 would require the entire site to be redeveloped to construct an apartment complex that may be constructed on similar sites in the same zoning district without redeveloping the entire site.
2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because the variance is being granted based on the development pattern of the property and since the request is for the conversion of an existing building to a use that is permitted upon other properties in the vicinity and zone.
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property, because a multiple-family residential use is an allowed use in the underlying Minor Mixed-Use Corridor (MXC-1) zone.

Attachment 1

RECOMMENDED FINDINGS FOR DENIAL
Case File No. 2017-14 Z – 2530 East Plaza Boulevard

1. There is no special circumstance applicable to the property, including size, shape, topography, location or surroundings where the strict application of Title 18 of the Municipal Code (Zoning) deprives impacts the projects ability to meet the minimum street-wall percentage or parking lot setbacks, because the property has more than 200 feet of frontage on both Plaza Blvd. and Euclid Avenue.
2. The requested Variance would constitute a grant of special privilege that is inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because there are no physical hardships associated with the property.
3. The proposal is inconsistent with goals that seek to prevent the intrusion of new incompatible land uses, promote business and employment, and create high-quality, compact, smart growth design; because the car wash and apartment building are incompatible uses, the conversion would reduce potential business and employment opportunities, and would not be an example of high, quality design.
4. The proposed residential use is inconsistent with the approved Planned Development permits (PD-8-89 and PD-1991-6) and the Conditions of Approval that limited the property to a car wash, auto parts (retail) store, and office. Furthermore, the proposed apartment complex is incompatible with the nearby car wash for reasons detailed in the report including the car wash view, noise, and parking lot circulation.
5. The existing commercial center and office building do not conform to current development standards for the zone. The proposed conversion would reduce the likelihood that the building would be redeveloped with a project that meets current development standards because there would be 13 tenants that would require re-location instead of one tenant with the current building configuration.

RECOMMENDED CONDITIONS OF APPROVAL
2017-14 Z – 2530 East Plaza Boulevard

General

1. This *Zone Variance* authorizes the conversion of an office building to a 13-unit apartment complex. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit B, case file no. 2017-14 Z, dated 1/4/2018.
2. Before this *Zone Variance* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Zone Variance*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Zone Variance* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Building

4. Plans submitted for demolition or improvements must comply with the most current (2016) edition of the California Building, Electrical, Plumbing, Mechanical, Green, Energy, and Fire Codes.

Engineering

5. The property owner, or its successors and assignees shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
6. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.

Attachment 2

7. All existing and proposed curb inlets on the property shall be provided with "No Dumping" signage in accordance with the NPDES program.
8. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced as marked in the field.
9. The existing pedestrian ramp(s) at the driveway located on Euclid Avenue shall be removed and replaced with standard ramp complying with the ADA requirements and the Regional Standard Drawings G-31.
10. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
11. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
12. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
13. All new dwellings are subject to a Transportation Development Impact Fee of \$2,405.00.
14. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
15. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.

Fire

16. Plans submitted for construction shall comply with the 2016 editions of NFPA, CFC and the current edition of the CCR.
17. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
18. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
19. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet

- wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
20. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
21. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
22. Fire hydrants that may be located throughout the project and not have a separation distance greater than 400 feet. Fire hydrants to be located within 400 feet of all locations which are roadway accessible. (Measurement starts from nearest public fire hydrant to project)
23. The following items pertain to fire hydrants:
- Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
 - Fire hydrant to be of three outlet design
 - Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch)
 - Fire hydrants to be marked by use of blue reflective marker in the roadway
24. Upon submittal for an underground permit, the following shall be included:
- Data sheet for Back-Flows
 - Data sheets for Private and Commercial Hydrants
 - Data sheets for Post Indicator Valves
25. Information on required fire hydrants back-flow devices, etc. can be acquired from Sweetwater Authority. All pipe and their appliances, shall meet industry/code standards for underground use
26. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.
27. Fire sprinkler plan has been documented as deferred submittal with the National City Planning Department.
28. All fire related plans shall be directly submitted to the National City Fire Department through permit.

Planning

29. The landscape planters separating the car wash parking lot from the apartment building and the retail store must be re-constructed to be consistent with Planned Development Permit PD-1991-6 prior to building permit Final Approval.
30. Landscape plans and improvements must include the entire property. Also landscape improvements shown in the original approval must be re-planted to substantially conform to the original approval, including interior parking lot trees. Open space area shall substantially conform to the landscape plan. Hardscape in this area be of decorative pavement or pavers; asphalt in common open space area must be removed. All landscape elements, including the faux planting elements, shall be maintained for the useful life of the project.
31. The applicant must provide the minimum common and private open space on building permit plans prior to building permit issuance.
32. The applicant must provide pedestrian access from the apartment complex's primary entrance to the Euclid Avenue public right-of-way. Pedestrian passage through the parking lot must be minimized as determined by Planning Department.
33. The applicant must provide enclosures for both trash and recyclable materials. The enclosures must be covered and be constructed of non-combustible materials (per Fire Department).
34. The applicant must provide storage space consistent with Code Section 18.42.070 (A)(7) that requires 150 cubic feet per unit plus 50 cubic feet for every bedroom more than one.

Sweetwater Authority

35. The owner must submit a letter to the Sweetwater Authority from the National City Fire Department stating fire flow requirements. Based on this requirement, this project may result in the need for new water systems or substantial alteration to the existing water system. It is recommended that the owner work with the Authority to determine if the existing water facilities are adequate to meet the added demands prior to issuing a building permit.
36. Residential fire sprinklers and fire services require an approved backflow prevention assembly.
37. Water facilities shall be designed and installed in accordance with the current Sweet Water Authority Design Standards and the Standard Specifications for Construction of Water Facilities.
38. Once the building permit is obtained by the owner, the owner shall submit National City Building Department approved plans to the Sweetwater Authority. The submittal must include a site plan, floor plan, and plumbing plan showing total fixture count, water demands in gallons per day, and a fire sprinkler plan so that water facilities can be verified.

2017- 14 Z – 2530 East Plaza Boulevard – Overhead

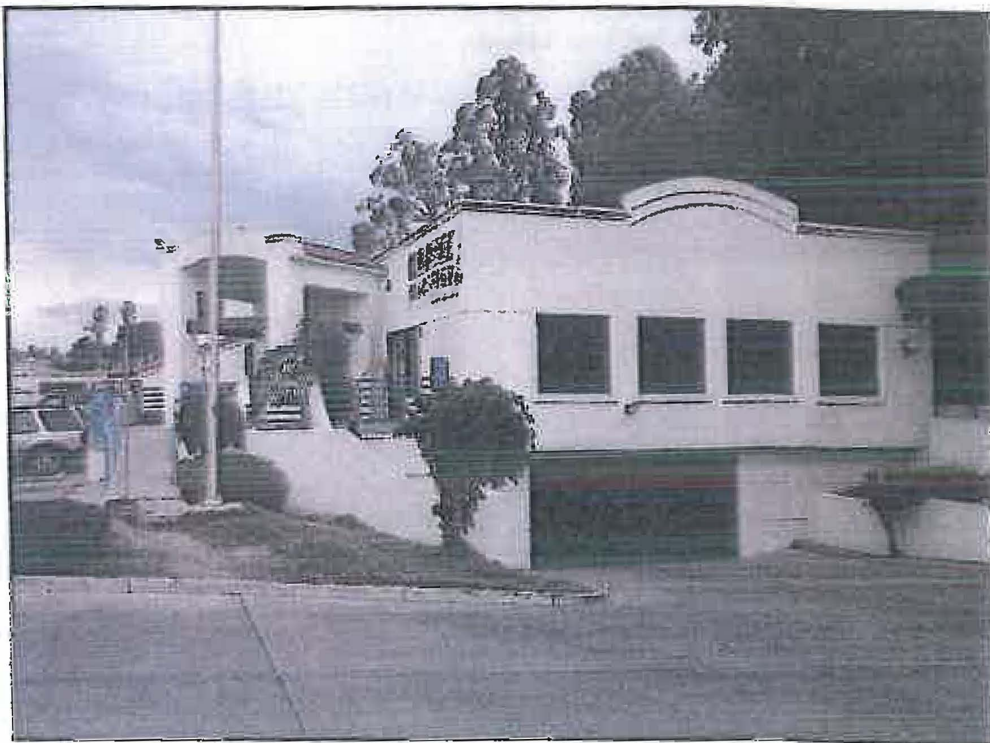


Attachment 3

2017-14 Z Site Photos – Existing Building



Main Entrance – North Side



Parking Garage Entrance – West Side



North View from Proposed



North View from Proposed Apartment Complex



Parking Lot – Removed Landscape Planter



Parking Lot – Removed Planter and Workstation

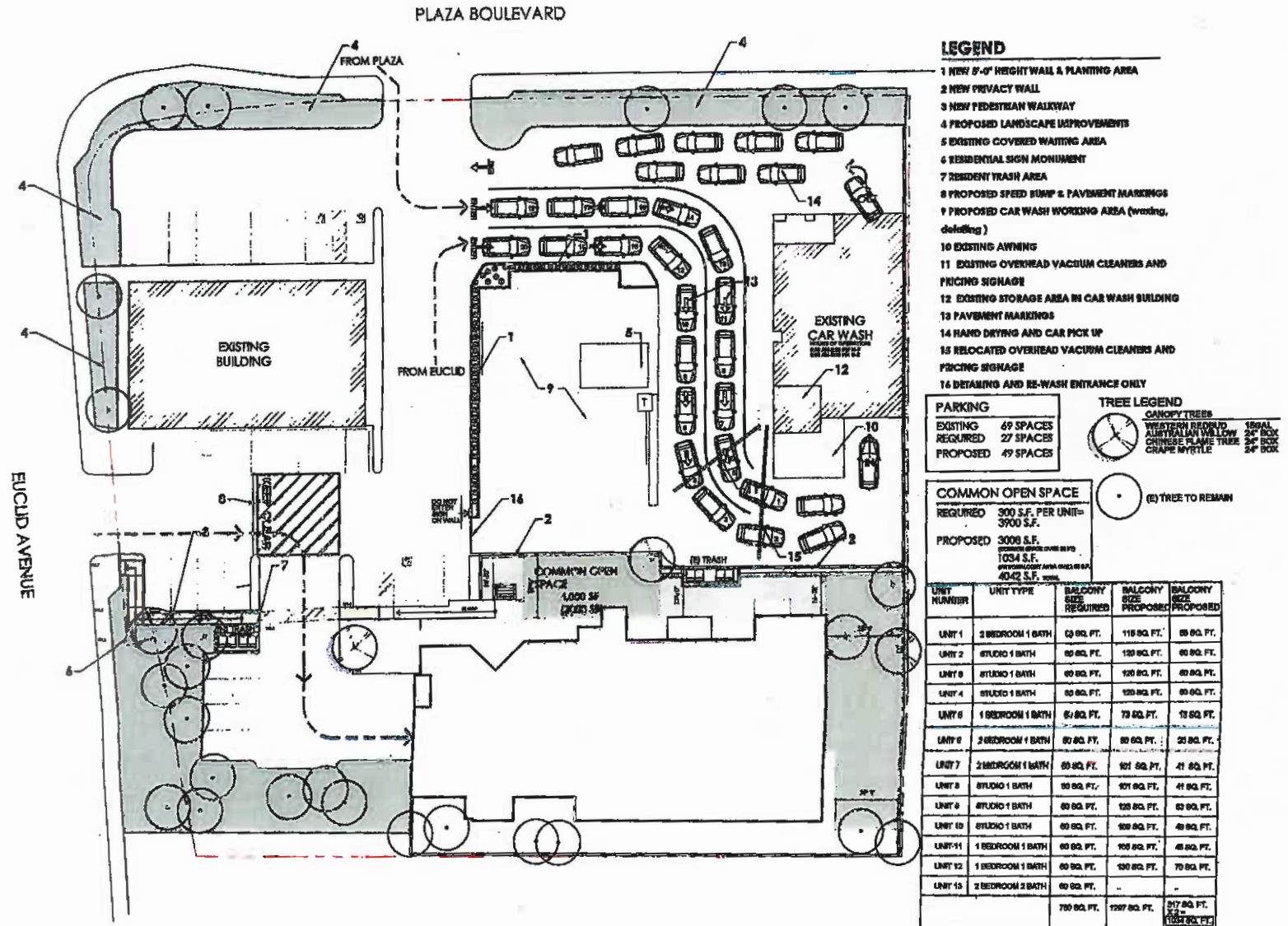


Parking Lot – Landscape Maintenance



Parking Lot – Landscape Maintenance

EXHIBIT: **B**
CASE FILE NO: **2017-14 Z**
DATE: **1/4/2018**



PLAZA BOULEVARD

EUCLID AVENUE

LEGEND

- 1 PAVEMENT MARKINGS
- 2 EXISTING STORAGE IN AREA IN CAR WASH
- 3 HAND DRYING AND CAR PICK UP
- 4 VACUUM AREA
- 5 CANOPY
- 6 COVERED CUSTOMER WAITING AREA

1 STORY BUILDING

1 STORY BUILDING (CAR WASH)
BUILT UP FROM EXISTING

1 STORY BUILDING WITH
UNDERGROUND PARKING

OUT

5' DRAIN
LINK
FENCE

N02°03'40"E 240.30'

N07°10'25"E 9.48'

N08°04'11"E 25.17'

N02°44'18"E 107.87'

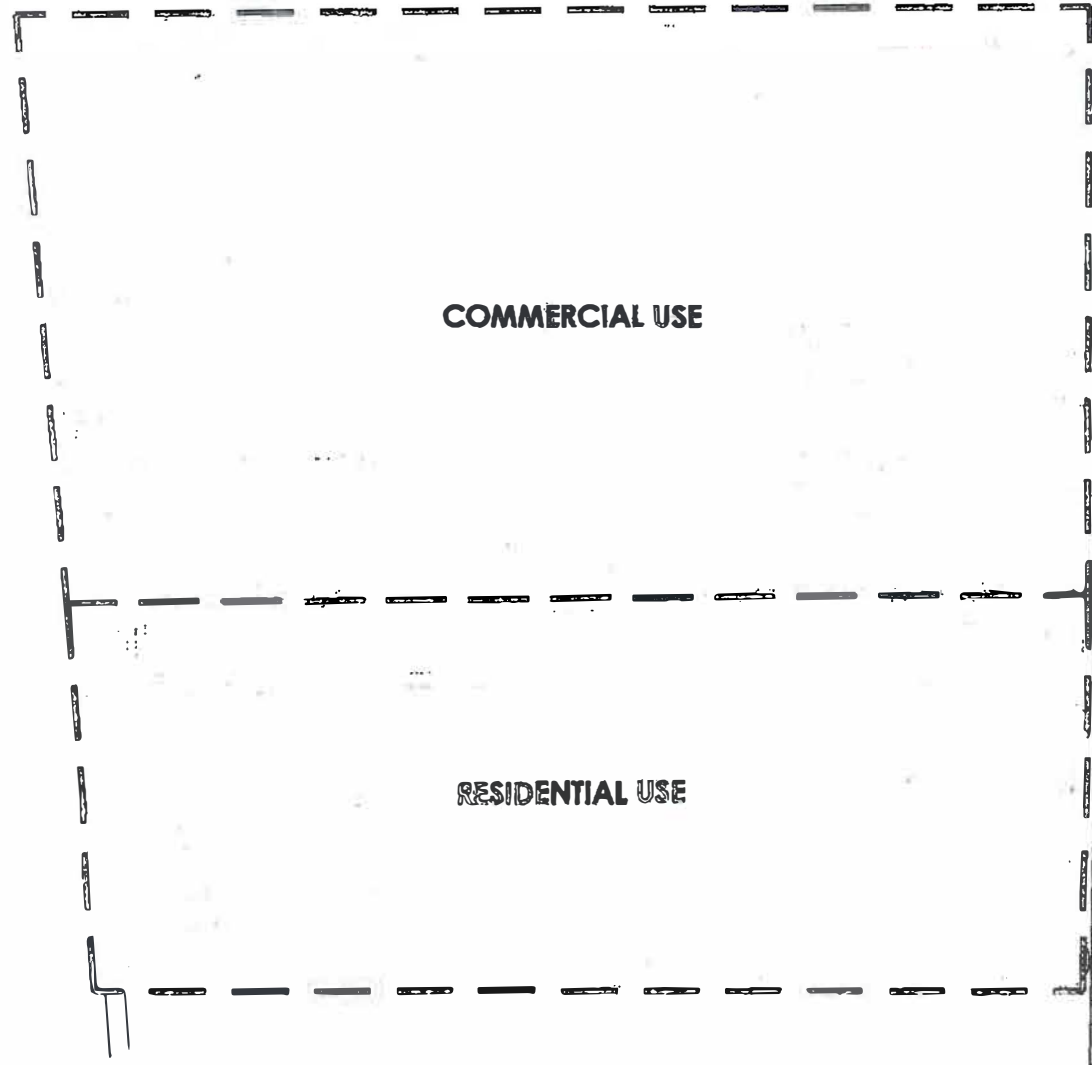
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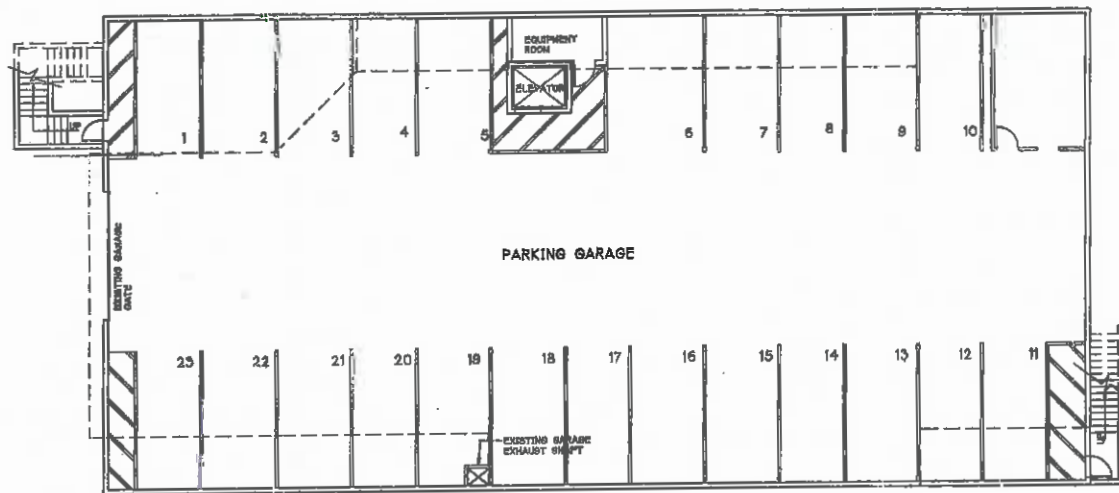
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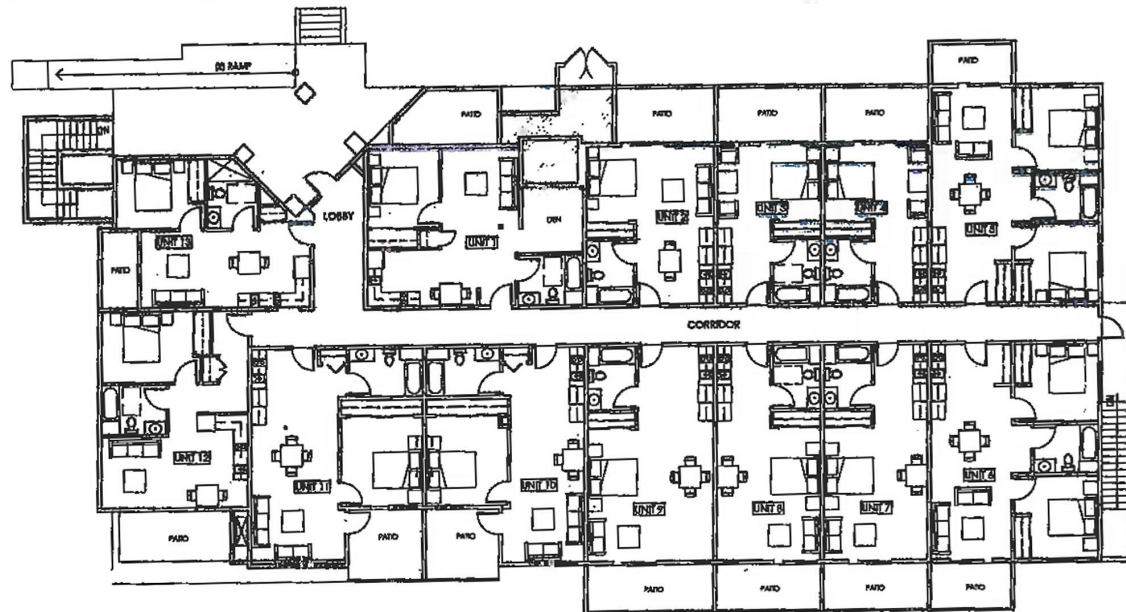
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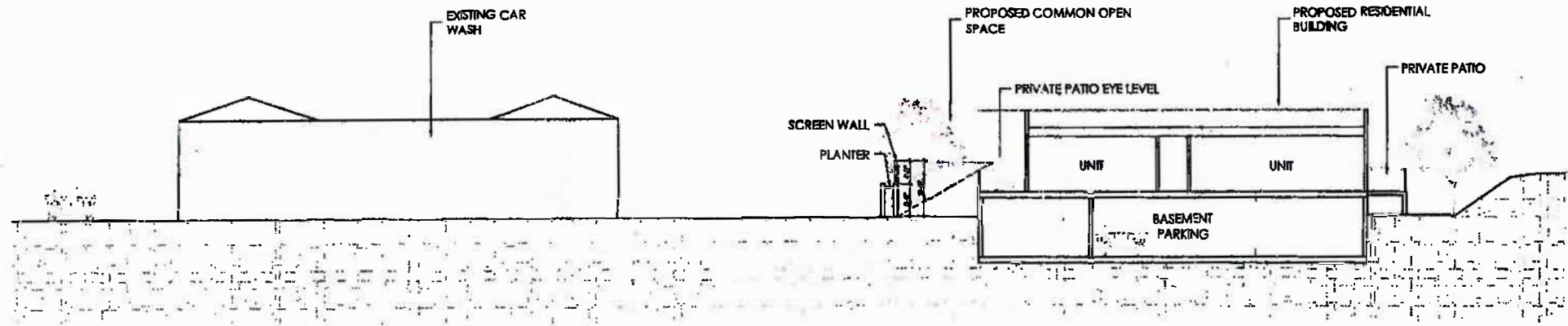
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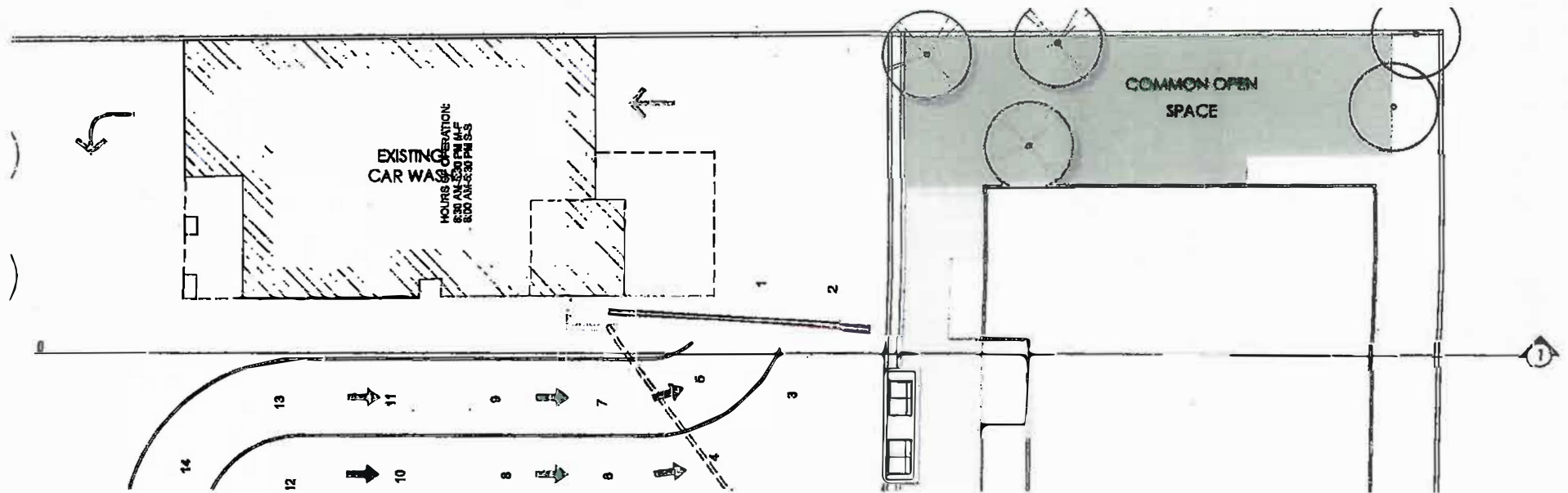






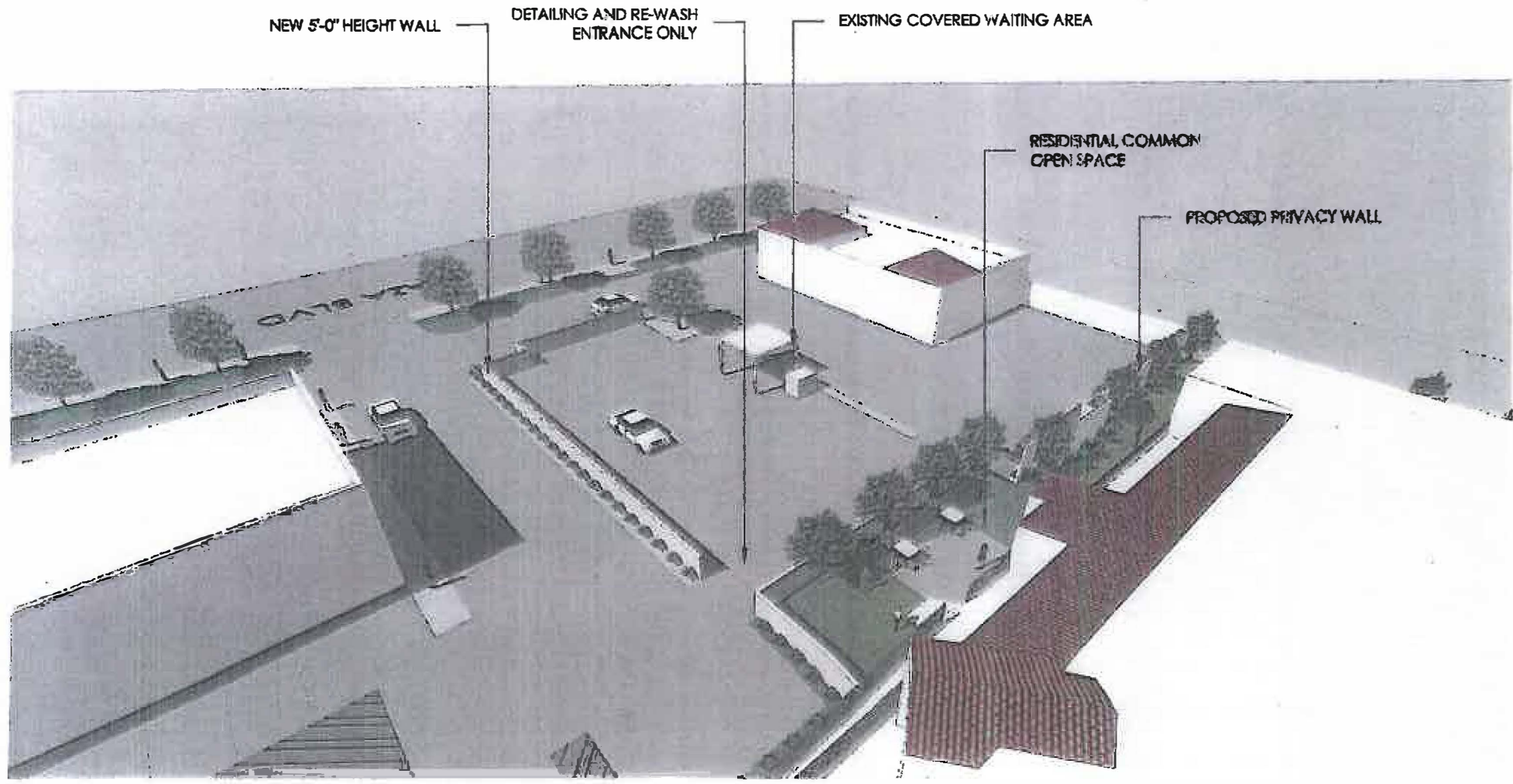


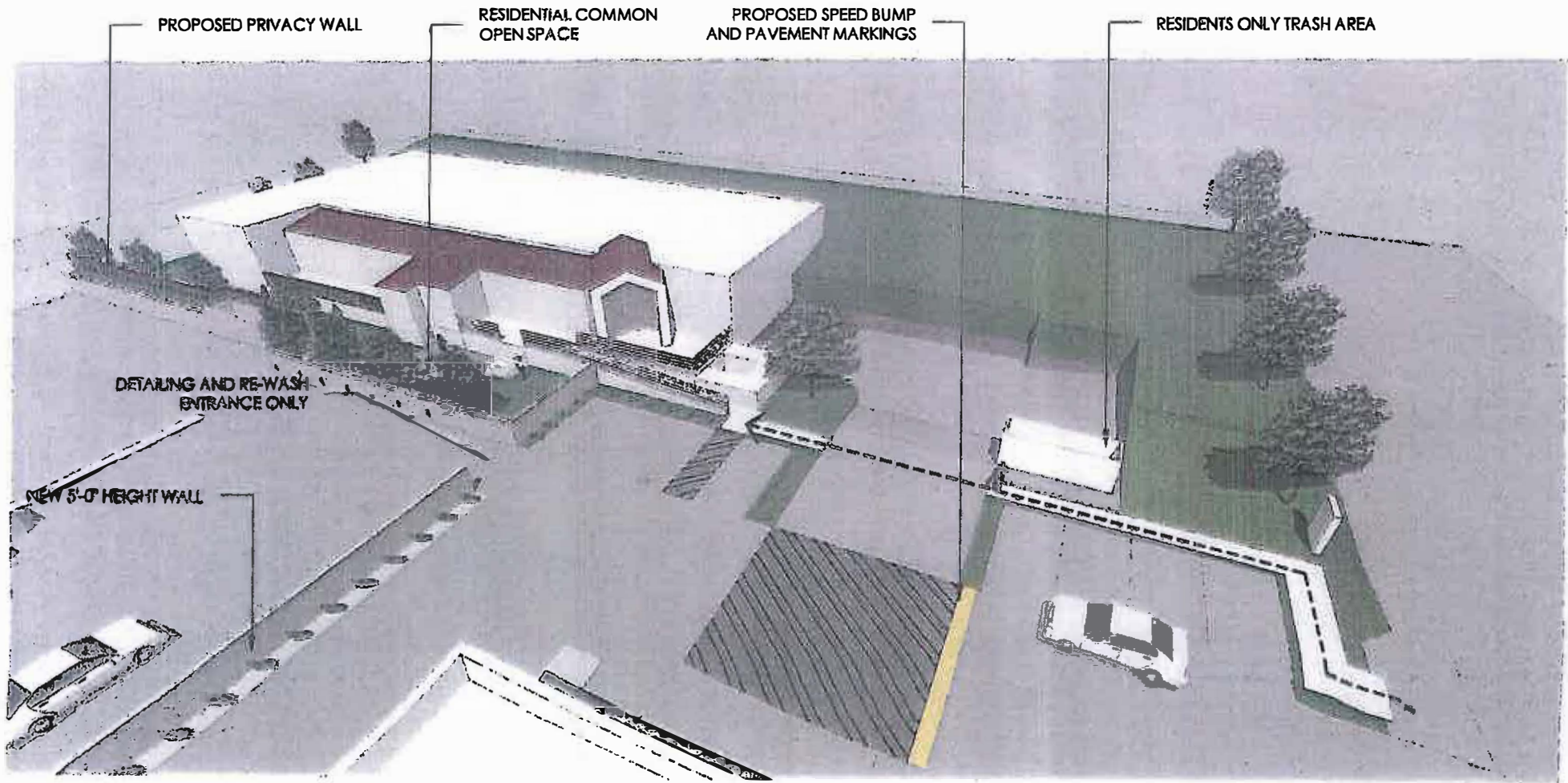
① SITE SECTION

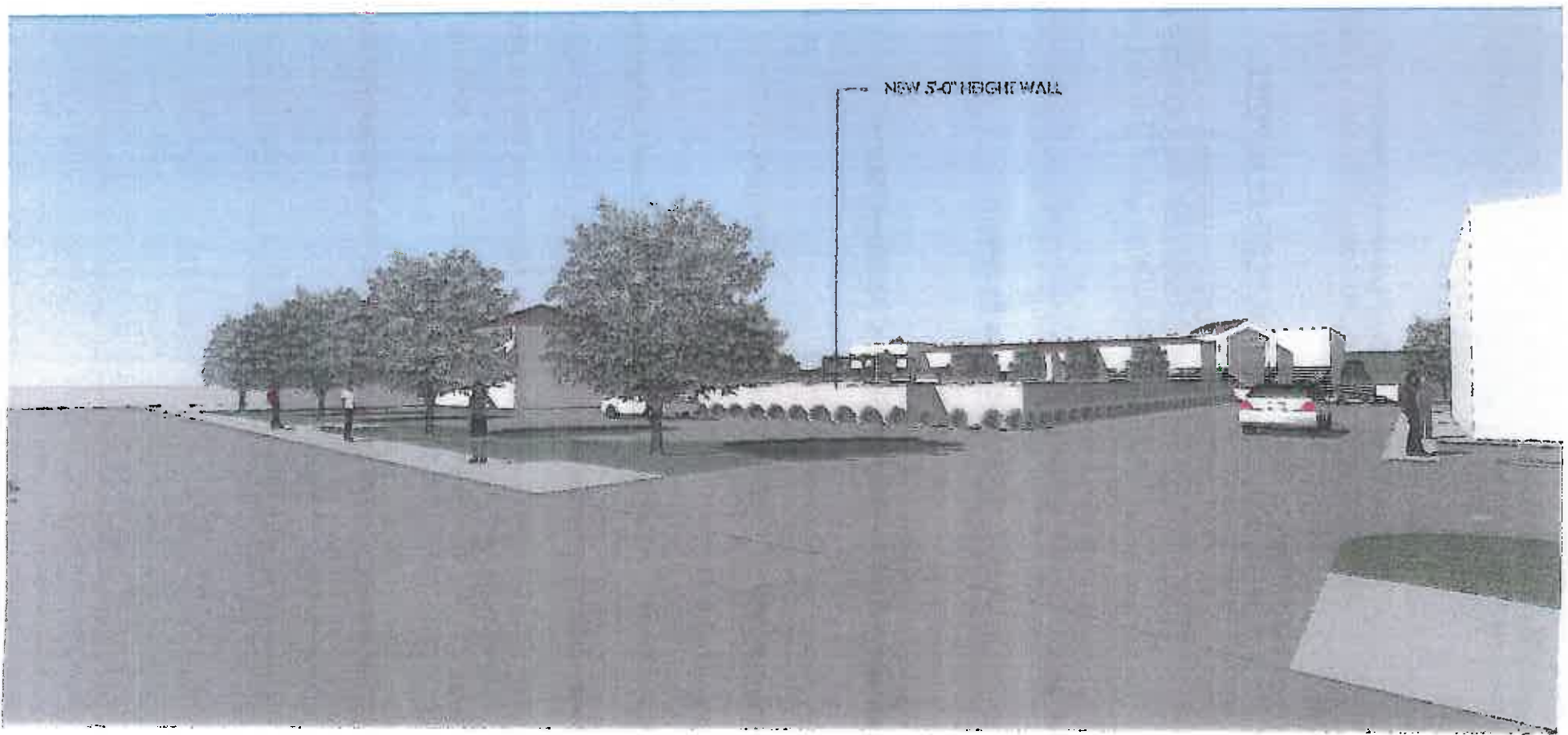




**VIEW FROM PRIVATE PATIO TOWARDS
EXISTING CAR WASH**









CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: CONTINUED PUBLIC HEARING – ZONE VARIANCE TO
ALLOW CONVERSION OF AN OFFICE BUILDING TO AN
APARTMENT BUILDING LOCATED AT 2530 EAST PLAZA
BOULEVARD

Case File No.: 2017-14 Z

Location: 2530 East Plaza Boulevard

Assessor's Parcel Nos.: 558-091-27

Staff report by: Michael Fellows, Assistant Planner

Applicant: Joseph Wong

Zoning designation: Minor Mixed-Use Corridor (MXC-1)

Adjacent land use / zoning:

North: Single Family Residential / Small Lot Residential (RS-2)

East: Shopping Center / MXC-1

South: Commercial / Minor Mixed-Use District (MXD-1)

West: Drainage Channel across Euclid Avenue / Major Mixed-Use
District (MXD-2)

Environmental review: Not a project per California Environmental Quality Act (CEQA)

Staff recommendation: Deny

BACKGROUND

Staff Recommendation

The Planning Department is recommending denial of the Variance primarily because there is no special circumstance applicable to the property (size, shape, topography, location, or surroundings) to approve of the Variance. The hardship is the location of existing buildings on the property and cost associated with redeveloping the site to current standards. Findings for both denial and approval are included and analyzed in this report.

Executive Summary

The applicant is proposing to convert an existing office building (previously a Social Security Administration office) into a 13-unit apartment complex. Construction would include the remodel of, and an addition to, the existing office building.

A Zone Variance ("Variance") is necessary because the property does not conform to current development standards, including a street wall requirement and parking setbacks from the street. Furthermore, the Variance would serve to modify a Planned Development (PD) permit (PD-1991-6) and its Conditions of Approval, because this type of PD permit no longer exists but the Conditions of Approval are still applicable.

History

This item was scheduled to be heard at the August 21st, 2017 Planning Commission hearing; however, the applicant requested the item be continued to an unspecified date to redesign the project to address staff concerns regarding compatibility of the proposed apartment complex with the existing car wash.

Site characteristics

The subject property is 1.64 acres in size and is located at the southeast corner of East Plaza Boulevard and Euclid Avenue. The property is rectangular and has approximately 270 feet of frontage on East Plaza Boulevard and 80 feet of frontage on Euclid Avenue. The property is developed with three buildings that include a retail automotive parts store (AutoZone), National City Car Wash, and a vacant Social Security office building. The parking lot provides 69 total parking spaces.

The property is zoned Minor Mixed-Use Corridor (MXC-1). The surrounding area is developed with single-family houses to the south, shopping centers (The Galleria & Euclid

Plaza) to the east and north across Plaza Boulevard, and a drainage channel west across Euclid Avenue.

Proposed use

The applicant is proposing to convert the former Social Security Administration office building into a 13-unit apartment complex. Construction would include a 7,724 square-foot remodel of the building and construction of an 830 square-foot addition to the front (northwest corner) and rear (south) sides of the building. The building has two levels that include an upper level, where the units are proposed, and a lower level that is a parking garage providing 22 parking spaces for the exclusive use of apartment tenants. The existing outdoor surface parking area is proposed to be shared by the existing commercial uses and the apartment complex.

The applicant is also proposing to modify operation of the existing car wash, as the car wash is currently operating in a manner that is inconsistent with the approved Planned Development permit. This modification proposes to approve an outdoor work area that would be screened by proposed walls and modify car wash vehicle circulation via rearranging planter areas.

Analysis

General Plan

The General Plan (GP) Land Use Element designates the property as Minor Mixed-Use. This designation is characterized by high-quality, compact, smart growth design that promotes a quaint, small-town, village-like feel. Buildings are to be placed close to the street, parking lots are de-emphasized, and driveway aprons are limited. A comfortable and attractive pedestrian environment is promoted through the use of street trees; awnings, canopies, or arcades; outdoor seating; clearly-marked crosswalks; and, small courtyards or plazas.

The Minor Mixed-Use designation permits a variety of uses including low-rise attached single-family or multi-family residential development, retail, restaurants, offices, and similar compatible uses. It is intended to facilitate redevelopment and transit-oriented design opportunities in developed areas in a manner that is compatible with surrounding residential areas.

The proposed conversion of the office building to an apartment complex and car wash redesign is both consistent and inconsistent with Goals and Policies in the GP for reasons described below:

Consistencies with the General Plan

The proposal is consistent with the minor mixed-use land designation, as it would provide a low-rise, attached, multi-family residential development. It is also consistent with the surrounding residential areas, as it would expand the variety of uses that currently exist on the site. Furthermore the proposal is consistent with the City-wide goals and implementing policies of the GP, which include:

Land Use (LU) Element Goal LU-1: Smart growth that is consistent with statewide and regional transportation and planning goals and policies.

Policy LU-1.2: Concentrate commercial, mixed-use, and medium to high-density residential development along transit corridors, at major intersections, and near activity centers that can be served efficiently by public transit and alternative transportation modes.

The proposal is consistent with Policy LU-1.2, as the proposal would change the site from a single use (commercial) to a mixed-use development that is located at a major intersection near activity centers (multiple shopping centers and a school) that have access to nearby public transit (bus stop).

Goal LU-2: Provide for a mix of land uses including residential, commercial, employment, service, agricultural, open space, and recreational uses that accommodate the needs of persons from all income groups and age levels. Policies implementing this goal include:

Policy LU-2.1: Provide for housing near jobs, transit routes, schools, shopping areas, and recreation to discourage long commutes; promote public transit, walking, and biking; and lessen traffic congestion.

The proposal is consistent with this policy, as the applicant would be adding 13 residential units near multiple employers, bus routes, a school (Palmer Way Elementary School), and shopping areas (The Galleria & Euclid Plaza shopping centers). Living near these services promotes use of public transit, walking, biking, and lessens traffic congestion.

Policy LU-2.3: Provide for a variety of housing types including, but not limited to, single-family attached, multiple-family apartments, condominiums, and mobile homes.

The proposed apartment complex would provide additional multiple-family apartments in the area consistent with LU-2.3.

Goal LU-4: Complete neighborhoods that meet the community's needs for sustainable and high-quality living environments.

Policy LU-4.3: Promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively to existing neighborhoods and surrounding areas.

The conversion of use would be consistent with this policy, as the project would be the adaptive reuse of the existing office building. The conversion will require substantial refurbishment of the building.

Goal LU-7: The efficient use of land and infrastructure.

Policy LU-7.2: Support historic preservation, adaptive re-use, and refurbishing of existing buildings and structures.

The conversion of use is consistent with this policy, as it is the adaptive reuse of the office building that will require refurbishment of the existing building.

Inconsistencies with General Plan

The proposal is inconsistent with the mixed-use land designation as it does not provide high-quality, compact, smart growth design that promotes a quaint, small-town, village-like feel. The proposal does not include buildings that are placed close to the street, which emphasizes the parking lots. The proposal does not facilitate redevelopment and transit-oriented design or contribute to a comfortable and attractive pedestrian environment. Furthermore the proposal is inconsistent with the GP's City-wide goals and implementing policies, some that include:

Goal LU-2: Calls for a mix of land uses including residential, commercial, employment, service, agricultural, open space, and recreational uses that accommodate the needs of persons from all income groups and age levels.

Policy LU-2.6: Support development and redevelopment that creates jobs for all income levels.

The proposal is inconsistent with this policy, as conversion of the commercial office building to a residential apartment complex would eliminate future use of the building by a potential employer.

Goal LU-3: Promote a land use pattern that avoids the creation and continuance of incompatible land uses.

Policy LU-3.2: Prevent the intrusion of new incompatible land uses and environmental hazards into existing residential areas and phase out existing non-conforming uses.

In this case, the intrusion would be the office conversion to a residential use adjacent to a car wash. The apartment building and car wash are incompatible for reasons detailed later in the report.

Policy LU-3.6: Prohibit the establishment of new residential and other sensitive land uses near industrial land uses and buffer existing residential and other sensitive land uses from industrial uses, while protecting and enhancing visitor-serving, commercial, retail, industrial, working-waterfront, and maritime related job-producing industries.

The proposal is inconsistent with this policy, as the proposal seeks to establish a residential use near a car wash that is a quasi-industrial/commercial land use.

Furthermore, the proposal would eliminate the commercial use, failing to protect and enhance the commercial use as stated in the policy.

Policy LU-3.7: Limit impacts from industrial or mixed-uses by establishing performance standards to regulate noise, glare, vibrations, odor, lighting, air pollution, and other potential disturbances.

In this case, limiting the impacts of the car wash on the proposed apartment complex may not be feasible, because of the close proximity of the two uses to each other. Noise, visibility, traffic circulation, and parking all have impacts that could cause the two uses to conflict with each other.

Goal LU-4: Promote complete neighborhoods that meet the community's needs for sustainable and high-quality living environments.

Policy LU-4.2: Promote the design of complete neighborhoods that are structured to be family-friendly, encourage walking, biking, and the use of mass transit, foster community pride, enhance neighborhood identity, ensure public safety, improve public health, and address the needs of all ages and abilities.

The proposed conversion is inconsistent with this policy, as the apartment complex would be located at the rear of the lot. This proposal would not be developed with characteristics that promote walking or biking. Community pride and neighborhood identity may prove difficult to establish given the location of the building on the property, a neighboring incompatible car wash, and the shared parking lot access and surface parking spaces.

Land Use Element Goal LU-5: Promote enhanced business districts and a strong local economy.

Policy LU-5.11: Support efforts to reduce unemployment rates for City residents.

The proposed conversion would eliminate a vacant commercial building, essentially eliminating the potential for a future employer at the location.

Land Use Code

The Land Use Code (LUC) determines the permitted land uses in the MXC-1 zone; apartment complexes are allowed by right in this zone. However, LUC Section 18.24.040 (A) determines building form and placement via development standards. The development standards for this zone require that 75% of the property frontage has a building constructed to the property line (street wall) and that parking lots provide a 40-foot street-side setback from street side property lines. The existing development does not meet either of these standards, because the property was developed when standards were different and designed for commercial only uses.

Staff has determined that the proposed office-to-apartment conversion requires a Variance because the property would be changing from a single-commercial use development to a mixed-use development where the property does not comply with mixed-use development standards.

Also contributing to the requirement for a Variance is that the previous LUC required the existing development to obtain a discretionary PD permit that no longer exists in its current form, yet the conditions from that PD permit that limited use of the property to a car wash, auto parts store, and office building are still applicable to the property. Therefore, the Planning Department determined that a Variance would be the most appropriate process to modify the PD permit's Conditions of Approval.

Traffic

The San Diego Association of Governments' (SANDAG) Guide of Vehicular Traffic Generation Rates does not provide guidelines specifically for a social security office. The most similar use to a social security office identified in the guide is a Department of Motor Vehicles (DMV) office. A 7,724 square-foot DMV office building would generate approximately 1,300 average daily trips (ADT); whereas, a 13-unit apartment building is projected to generate 78 ADT.

Access to and from the site is provided from intersecting arterial streets, East Plaza Boulevard and Euclid Avenue, that operate at a Level of Service (LOS) of at least B. If approved, the project would reduce ADT by 1,200 over the previous use. Therefore, the street would have sufficient capacity to continue to service the existing development. Conversely, the street network would still service the development at a passing LOS in the case of a CUP denial.

Parking Lot Circulation

The surface parking lot would continue to be shared by the proposed apartment building, AutoZone, and the National City Car Wash. There are two driveways leading to the property, one from East Plaza Boulevard and another from Euclid Avenue.

Circulation within the parking lot is confusing, primarily due to balancing customer parking spaces with the car wash business circulation pattern. A site inspection found that vehicles were queued for car wash service in front of both the main car wash entrance and the proposed apartment building. The queued vehicles blocked parking spaces and would be located directly in front of the proposed apartment building.

An outdoor work area for finishing vehicles has been established without City approval in required parking spaces. Access to the unapproved work area contributes to the parking lot confusion, as vehicles entering this area from the car wash have to circulate around the landscape islands and enter near the AutoZone building.

The approved PD Permit (PD-8-89) and the subsequent modification (PD-1991-6) intended that access to the car wash be from Plaza Boulevard. The Planning Commission required that a landscape planter be constructed to help separate car wash traffic circulation from the retail store and the office building parking lot.

A portion of the landscape planter has been removed without City approval, despite Planning Commission specifically denying its removal in 1991. A previous applicant requested that the Planning Commission approve a gate in lieu of a portion of the landscape planter for vehicles that needed to be re-washed. The Planning Commission denied the request, finding that the gated access way in lieu of a continuous landscape may confuse drivers who attempted to use the gated access to enter the car wash. Furthermore, the Planning Commission found that the gate would reduce landscaping on the site.

The applicant is proposing to construct a five-foot wall to the west that would block access to this area. The parking spaces and drive aisle in this area would be removed to become a work station for the car wash. In addition, six parking spaces would be removed to provide a landscape buffer and open space between the car wash and the apartment building. Another wall would be constructed between the work area and apartment building to help mitigate car wash noise impacts on the proposed apartment building.

Car wash operation reconfiguration

The proposed reconfiguration of the car wash would include expansion of the currently unpermitted work area into the parking lot resulting in the removal of 20 parking spaces from the site. This work area would be used to dry vehicles, clean glass, and other finish work associated with the car wash. The applicant proposes to construct approximately 110 feet of wall that would be constructed at five feet tall and include faux plants to visually screen the work area from Plaza Boulevard and Euclid Avenue. The applicant would also provide landscape planters in front of the walls.

Parking

The proposed project would meet current parking standards, as mixed-use developments require substantially less parking than single-use developments. In this case, if the project is approved, the on-site parking space requirement would drop from 72 parking spaces to 27 spaces. The applicant is proposing to reduce the on-site parking to 49 parking spaces from 69 parking spaces that currently exist.

The existing site is under-parked for a commercial only development. The shortage appears to be due to changes made to the parking lot without City approval. The site was last approved with 77 parking spaces (PD-1991-6) in 1991. The LUC today would require the commercial-only use to provide 72 parking spaces; however, only 69 spaces are currently provided on the site. The 69 spaces does not include spaces lost due to the work and customer waiting areas, further reducing parking on the site.

The parking requirements above are found in LUC Section 18.45.050, which prescribes the required number of off-street parking spaces by land use. Mixed-use development in mixed-use zones are required to provide two parking spaces for each 1,000 square feet of commercial floor area and one parking space per residential unit that provides two bedrooms or less. By comparison, the LUC requires that the existing development (single use) provide one parking space per 200 square feet of gross floor area.

Site planning standards

The applicant has redesigned the project to provide pedestrian access to the adjacent streets. This access must be well drained, have no slope steeper than a one-to-twelve ratio, and be a minimum of three feet wide.

Common and Private Useable Open Space

The project requires modification to meet the common usable open space required by the LUC. The LUC requires 3,900 square feet of common open space for the 13 units. The applicant is proposing approximately 4,042 square feet. While the plan provides the required common open space square footage, there are areas shown as common useable open space that are not a useable because of a slope and lack of access. The required amount of common open space can be provided by conversion to useable area or by providing additional private open space. A condition of approval has been added requiring that the applicant provide additional useable open space to meet minimum standards prior to building permit issuance.

The project proposes more private usable open space than required by the LUC. The 13 units would require a minimum of 780 square feet of private open space; whereas, the project proposes 1,297 square feet. The private open space would be provided on balconies ranging in size from 60 to 130 square feet. Excess private open space (517 square feet) is counted at a 2 to 1 ratio (1,034 square feet) towards the common open space requirement and is included in the common open space calculations above.

Landscaping

Existing landscaping is primarily planted around the perimeter of the property, along the street frontages. The approved landscape plan shows eight queen palms located in landscape planters in the interior of the parking; whereas only one palm tree exists. This may be partially due to removal of the landscape areas without permits. The current LUC would require eight interior trees for the 49 parking spaces, as one shade canopy tree is required for every seven parking spaces in the parking lot.

Existing landscaping throughout the entire property is in need of maintenance. The property includes a mixture of palm trees, eucalyptus, hedges, and ground cover including grassy planters and wood chips. The trees and shrubs are mature; however, there are dead trees and shrubs that should be removed and replaced. There are areas where no ground cover remains and only dirt is visible. Trash was observed strewn in many of the planters and should be removed. The trees behind the office building provide shade and visual screening from the single-family houses located at a higher elevation south of the property.

The landscape plan shows improvements to landscape areas surrounding the proposed apartment complex. This includes improvements to the street-side landscape planters visible from Euclid Avenue.

A condition of approval has been added requiring that the applicant submit landscape plans that include improved landscaping on the entire property with building permit plans. In addition, another condition has been added requiring that seven additional palm trees be planted.

Building Design Standards

Residential building design standards are found in LUC chapter 18.42.070 and require that:

- o The exterior design, height, and bulk of multi-unit projects should not negatively impact adjacent lower density residential areas. In this case, the proposed conversion would have little impact on the neighboring single-family houses located south of the project area. The reason is that the houses are located approximately 100 feet away from the project, at a higher elevation, and are visually screened by landscaping that includes eucalyptus and other trees.

- Façade and roof articulation is required for residential structures with three or more units. Balconies are also required, as they can help break up changes in wall planes. The integration of elements such as balconies, porches, arcades, dormers, and cross gables can help avoid a barracks-like quality. In this case, the project would provide all the required elements and integrates architectural elements sufficiently to avoid a barracks like feel.
- Trash and recycling enclosures are required and must have a non-combustible cover. In this case the enclosures already exist and are located between and shared with the car wash. The existing enclosures are not covered, and the applicant would have to construct a cover as part of the project. A condition has been added reflecting this requirement.
- Laundry facilities are required for projects containing nine or more units. The requirement is one washer and one dryer for each 20 units. In this case, the applicant is proposing to provide two washers and two dryers in a laundry room located in the parking garage. The Planning Department encourages applicants to provide in-unit washers and dryers, as they are generally more desirable.
- Storage space is required for all multi-unit residential developments at a minimum of 150 cubic feet for each unit, plus 50 cubic feet for each additional bedroom in excess of one bedroom. Mechanical equipment spaces are not counted towards this total. A condition of approval has been added requiring the proposal to meet the minimum storage area requirement above.

Planned Development Permit

As previously mentioned, the project was approved by two PD permits PD-8-89 and PD-1991-6 (modification). The Conditions of Approval authorized an auto parts store, car wash, and office building. The Planning Department recommends that this condition remain and not be modified since the development is designed for commercial uses and residential uses are incompatible with the neighboring car wash.

Car wash – apartment complex conflicts

The proposed apartment building is located 60 feet from the car wash on the same property. The 60-foot separation includes the driveway for cars entering the car wash and a trash enclosure. The apartment building would have units and balconies that face the

entrance to the car wash building. This view would be unappealing and the area is noisy due to operation of the car wash equipment. The applicant proposes to install an eight-foot tall screen wall and an approximate 15-foot landscape buffer to mitigate impacts. Circulation in the parking lot is another area of potential conflict between the car wash and the apartment tenants and guests, as the car wash uses areas within the parking lot as work areas. Changes to the parking lot configuration would help reduce car wash traffic circulating near the proposed apartment building.

Mailing – All property owners and occupants within a distance of 300 feet are required to be notified of a public hearing for Variance applications. There were 464 people notified by mail of this public hearing, which met this requirement. Furthermore, the public hearing was advertised in the Union Tribune newspaper.

Required findings

The Municipal Code contains three required findings for a Variance to be approved. In this case, The Planning Department has included both findings for approval and denial:

Findings for Denial

1. There is no special circumstance applicable to the property, including size, shape, topography, location or surroundings where the strict application of Title 18 of the Municipal Code (Zoning) deprives impacts the projects ability to meet the minimum street-wall percentage or parking lot setbacks, because the property has more than 200 feet of frontage on both Plaza Blvd. and Euclid Avenue.
2. The requested Variance would constitute a grant of special privilege that is inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because there are no physical hardships associated with the property.
3. The proposal is inconsistent with goals that seek to prevent the intrusion of new incompatible land uses, promote business and employment, and create high-quality, compact, smart growth design; because the car wash and apartment building are incompatible uses, the conversion would reduce potential business and employment opportunities, and would not be an example of high, quality design.
4. The proposed residential use is inconsistent with the approved Planned Development permits (PD-8-89 and PD-1991-6) and the Conditions of Approval

that limited the property to a car wash, auto parts (retail) store, and office. Furthermore, the proposed apartment complex is incompatible with the nearby car wash for reasons detailed in the report including the car wash view, noise, and parking lot circulation.

5. The existing commercial center and office building do not conform to current development standards for the zone. The proposed conversion would reduce the likelihood that the building would be redeveloped with a project that meets current development standards because there would be 13 tenants that would require relocation instead of one tenant with the current building configuration.

Findings for Approval

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification, because the location of existing buildings and the strict application of Title 18 would require the entire site to be redeveloped to construct an apartment complex that may be constructed on similar sites in the same zoning district without redeveloping the entire site.
2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because the variance is being granted based on the development pattern of the property and because the request is for the conversion of an existing building to a use that is permitted upon other properties in the vicinity and zone.
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property, because a multiple-family residential use is an allowed use in the underlying Minor Mixed-Use Corridor (MXC-1) zone.

Conditions of Approval

Conditions of Approval have been included reflecting comments that were received from the Sweetwater Authority and the City's Building, Engineering, and Fire departments. The

Planning Department provided the Conditions of Approval as described throughout the report.

Summary

The proposed project is both consistent and inconsistent with the Goals and Policies of the General Plan. The proposal is consistent with goals that promote mixed-use development, housing and the adaptive re-use of buildings. However, the proposal is inconsistent with goals that seek to prevent the intrusion of new incompatible land uses, promote business and employment, and create high-quality, compact, smart growth design.

The proposed mixed-use development is permitted by the LUC and MXC-1 zone; however, the proposal is inconsistent with development standards in this zone that require developments be constructed to the property line (75% street wall) and that parking lots be setback from property lines generally behind structures.

Furthermore, the project was approved by a PD permit that authorized an auto parts store, car wash, and an office building. The Planning Department believes the original approval should remain in place until the applicant decides to redevelop the property to be consistent with current development standards.

Recommendation

The Planning Department anticipates that approval of the project would have both positive and negative impacts on the community, but is recommending denial of the Variance primarily because there is no special circumstance applicable to the property (size, shape, topography, location, or surroundings) to approve of the Variance. The only hardship is the location of existing buildings on the property and cost associated with redeveloping the site to current standards.

Furthermore the proposed apartment building would likely be of lower quality than if the site the project was developed to current standards, especially given the building proximity to the car wash. Approval of the residential development would likely reduce the likelihood that the site would be redeveloped to current development standards.

Conversely the conversion would provide additional housing stock, eliminate a commercial vacancy that has been unoccupied for five years, and provide a mix of land uses. It may be possible to consider the location of existing buildings and the strict application of Title

18 as a special circumstance applicable to the property because the entire site would require to be redeveloped to construct an apartment complex and to current standards.

OPTIONS

1. Deny 2017-14 Z based on attached findings and/or to be determined by the Planning Commission; or
2. Approve 2017-14 Z subject to the conditions listed below, based on attached findings and/or findings to be determined by the Planning Commission; or,
3. Continue the item in order to obtain additional information.

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Site photos
5. Applicant's Plans (Exhibit A, case file no. 2017-14 Z, dated 10/31/2017)
6. Public Hearing Notice (Sent to 464 property owners and occupants)
7. Planned Commission Resolution No. 40-91 for PD-1991-6
8. Resolutions



MICHAEL FELLOWS
Assistant Planner



BRAD RAULSTON
Deputy City Manager

RESOLUTION NO. 2017-27 a

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A ZONE VARIANCE TO ALLOW COVERSON OF AN OFFICE
BUILDING TO AN APARTMENT BUILDING
LOCATED AT 2530 EAST PLAZA BOULEVARD.
CASE FILE NO. 2017-14 Z
APN: 558-091-27**

WHEREAS, the Planning Commission of the City of National City considered a Zone Variance for the conversion of an office building to an apartment building located at 2530 East Plaza Boulevard at duly advertised public hearings held on August 21 and December 4, 2017, and January 22, 2018, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2017-14 Z maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearings held on August 21 and December 4, 2017, and January 22, 2018 support the following findings:

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification, because the location of existing buildings and the strict application of Title 18 would require the entire site to be redeveloped to construct an apartment complex that may be

Attachment 7

constructed on similar sites in the same zoning district without redeveloping the entire site.

2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because the variance is being granted based on the development pattern of the property and since the request is for the conversion of an existing building to a use that is permitted upon other properties in the vicinity and zone.
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property, because a multiple-family residential use is an allowed use in the underlying Minor Mixed-Use Corridor (MXC-1) zone.

BE IT FURTHER RESOLVED that the application for a Zone Variance is approved subject to the following conditions:

General

1. This *Zone Variance* authorizes the conversion of an office building to a 13-unit apartment complex. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit B, case file no. 2017-14 Z, dated 1/4/2018.
2. Before this *Zone Variance* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Zone Variance*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Zone Variance* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Building

4. Plans submitted for demolition or improvements must comply with the most current (2016) edition of the California Building, Electrical, Plumbing, Mechanical, Green, Energy, and Fire Codes.

Engineering

5. The property owner, or its successors and assignees shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
6. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
7. All existing and proposed curb inlets on the property shall be provided with "No Dumping" signage in accordance with the NPDES program.
8. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced as marked in the field.
9. The existing pedestrian ramp(s) at the driveway located on Euclid Avenue shall be removed and replaced with standard ramp complying with the ADA requirements and the Regional Standard Drawings G-31.
10. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
11. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
12. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
13. All new dwellings are subject to a Transportation Development Impact Fee of \$2,405.00.
14. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.

15. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.

Fire

16. Plans submitted for construction shall comply with the 2016 editions of NFPA, CFC and the current edition of the CCR.
17. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
18. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
19. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
20. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
21. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
22. Fire hydrants that may be located throughout the project and not have a separation distance greater than 400 feet. Fire hydrants to be located within 400 feet of all locations which are roadway accessible. (Measurement starts from nearest public fire hydrant to project)
23. The following items pertain to fire hydrants:
- Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
 - Fire hydrant to be of three outlet design
 - Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch)
 - Fire hydrants to be marked by use of blue reflective marker in the roadway
24. Upon submittal for an underground permit, the following shall be included:

- Data sheet for Back-Flows
 - Data sheets for Private and Commercial Hydrants
 - Data sheets for Post Indicator Valves
25. Information on required fire hydrants back-flow devices, etc. can be acquired from Sweetwater Authority. All pipe and their appliances, shall meet industry/code standards for underground use
 26. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.
 27. Fire sprinkler plan has been documented as deferred submittal with the National City Planning Department.
 28. All fire related plans shall be directly submitted to the National City Fire Department through permit.

Planning

29. The landscape planters separating the car wash parking lot from the apartment building and the retail store must be re-constructed to be consistent with Planned Development Permit PD-1991-6 prior to building permit Final Approval.
30. Landscape plans and improvements must include the entire property. Also landscape improvements shown in the original approval must be re-planted to substantially conform to the original approval, including interior parking lot trees. Open space area shall substantially conform to the landscape plan. Hardscape in this area be of decorative pavement or pavers; asphalt in common open space area must be removed. All landscape elements, including the faux planting elements, shall be maintained for the useful life of the project.
31. The applicant must provide the minimum common and private open space on building permit plans prior to building permit issuance.
32. The applicant must provide pedestrian access from the apartment complex's primary entrance to the Euclid Avenue public right-of-way. Pedestrian passage through the parking lot must be minimized as determined by Planning Department.
33. The applicant must provide enclosures for both trash and recyclable materials. The enclosures must be covered and be constructed of non-combustible materials (per Fire Department).
34. The applicant must provide storage space consistent with Code Section 18.42.070 (A)(7) that requires 150 cubic feet per unit plus 50 cubic feet for every bedroom more than one.

Sweetwater Authority

35. The owner must submit a letter to the Sweetwater Authority from the National City Fire Department stating fire flow requirements. Based on this requirement, this project may result in the need for new water systems or substantial alteration to the existing water system. It is recommended that the owner work with the Authority to determine

if the existing water facilities are adequate to meet the added demands prior to issuing a building permit.

36. Residential fire sprinklers and fire services require an approved backflow prevention assembly.
37. Water facilities shall be designed and installed in accordance with the current Sweet Water Authority Design Standards and the Standard Specifications for Construction of Water Facilities.
38. Once the building permit is obtained by the owner, the owner shall submit National City Building Department approved plans to the Sweetwater Authority. The submittal must include a site plan, floor plan, and plumbing plan showing total fixture count, water demands in gallons per day, and a fire sprinkler plan so that water facilities can be verified.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of January 22, 2018 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2017-27 b

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA,
DENYING A ZONE VARIANCE TO ALLOW COVERSION OF AN OFFICE BUILDING
TO AN APARTMENT BUILDING
LOCATED AT 2530 EAST PLAZA BOULEVARD.
CASE FILE NO. 2017-14 Z
APN: 558-091-27**

WHEREAS, the Planning Commission of the City of National City considered a Zone Variance for the conversion of an office building to an apartment building located at 2530 East Plaza Boulevard at duly advertised public hearings held on August 21 and December 4, 2017, and January 22, 2018, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2017-14 Z maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California that the testimony and evidence presented to the Planning Commission at the public hearings held on August 21 and December 4, 2017, and January 22, 2018 support the following findings:

- 1. There is no special circumstance applicable to the property, including size, shape, topography, location or surroundings where the strict application of Title 18 of the Municipal Code (Zoning) deprives impacts the projects ability to meet the minimum street-wall percentage or parking lot setbacks, because the property has more than 200 feet of frontage on both Plaza Blvd. and Euclid Avenue.**
- 2. The requested Variance would constitute a grant of special privilege that is inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because there are no physical hardships associated with the property.**

3. The proposal is inconsistent with goals that seek to prevent the intrusion of new incompatible land uses, promote business and employment, and create high-quality, compact, smart growth design; because the car wash and apartment building are incompatible uses, the conversion would reduce potential business and employment opportunities, and would not be an example of high, quality design.
4. The proposed residential use is inconsistent with the approved Planned Development permits (PD-8-89 and PD-1991-6) and the Conditions of Approval that limited the property to a car wash, auto parts (retail) store, and office. Furthermore, the proposed apartment complex is incompatible with the nearby car wash for reasons detailed in the report including the car wash view, noise, and parking lot circulation.
5. The existing commercial center and office building do not conform to current development standards for the zone. The proposed conversion would reduce the likelihood that the building would be redeveloped with a project that meets current development standards because there would be 13 tenants that would require relocation instead of one tenant with the current building configuration.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of January 22, 2018 by the following vote:

AYES:

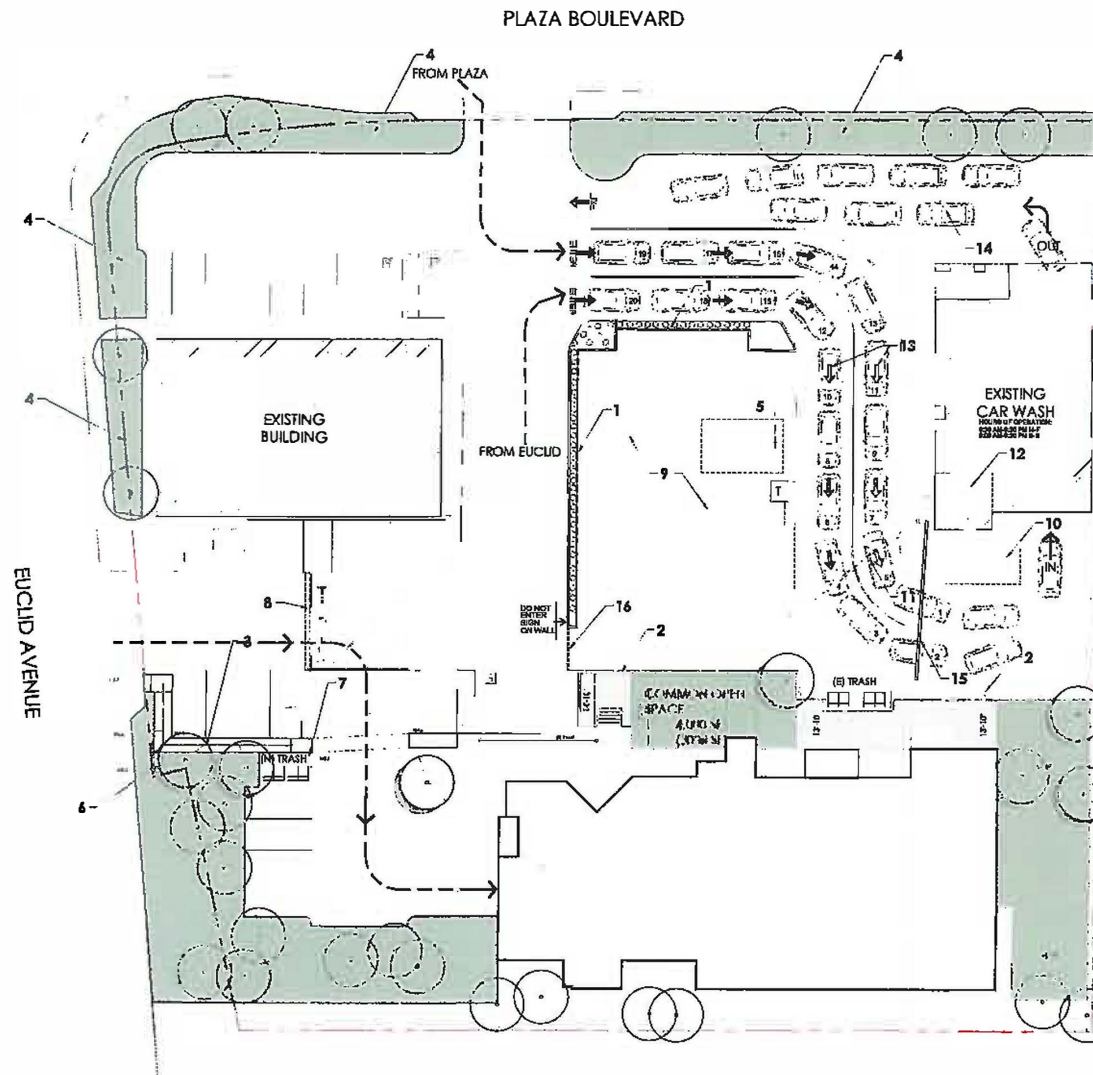
NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

EXHIBIT: B
CASE FILE NO.: 2017-14 2
DATE: 1/4/2018



LEGEND

- 1 NEW 5'-0" HEIGHT WALL & PLANTING AREA
- 2 NEW PRIVACY WALL
- 3 NEW PEDESTRIAN WALKWAY
- 4 PROPOSED LANDSCAPE IMPROVEMENTS
- 5 EXISTING COVERED WAITING AREA
- 6 RESIDENTIAL SIGN MONUMENT
- 7 RESIDENT TRASH AREA
- 8 PROPOSED SPEED BUMP & PAVEMENT MARKINGS
- 9 PROPOSED CAR WASH WORKING AREA (washing, detailing)
- 10 EXISTING AWNING
- 11 EXISTING OVERHEAD VACUUM CLEANERS AND PRICING SIGNAGE
- 12 EXISTING STORAGE AREA IN CAR WASH BUILDING
- 13 PAVEMENT MARKINGS
- 14 HAND DRYING AND CAR PICK UP
- 15 RELOCATED OVERHEAD VACUUM CLEANERS AND PRICING SIGNAGE
- 16 DETAILING AND RE-WASH ENTRANCE ONLY

PARKING	
EXISTING	49 SPACES
REQUIRED	27 SPACES
PROPOSED	49 SPACES

TREE LEGEND

CANCOPY TREES	
EXISTING	WESTERN REDBUD 150AL
REQUIRED	AUSTRALIAN WILLOW 24" BOX
PROPOSED	CHINESE FLAME TREE 24" BOX
	GRAPE MYRTLE 24" BOX

COMMON OPEN SPACE	
REQUIRED	300 S.F. PER UNIT= 3900 S.F.
PROPOSED	3008 S.F.
	COMMON SPACE OVER 20 FT
	1034 S.F.
	POTENTIAL COMMON AREA OVER 20 FT
	4042 S.F. TOTAL

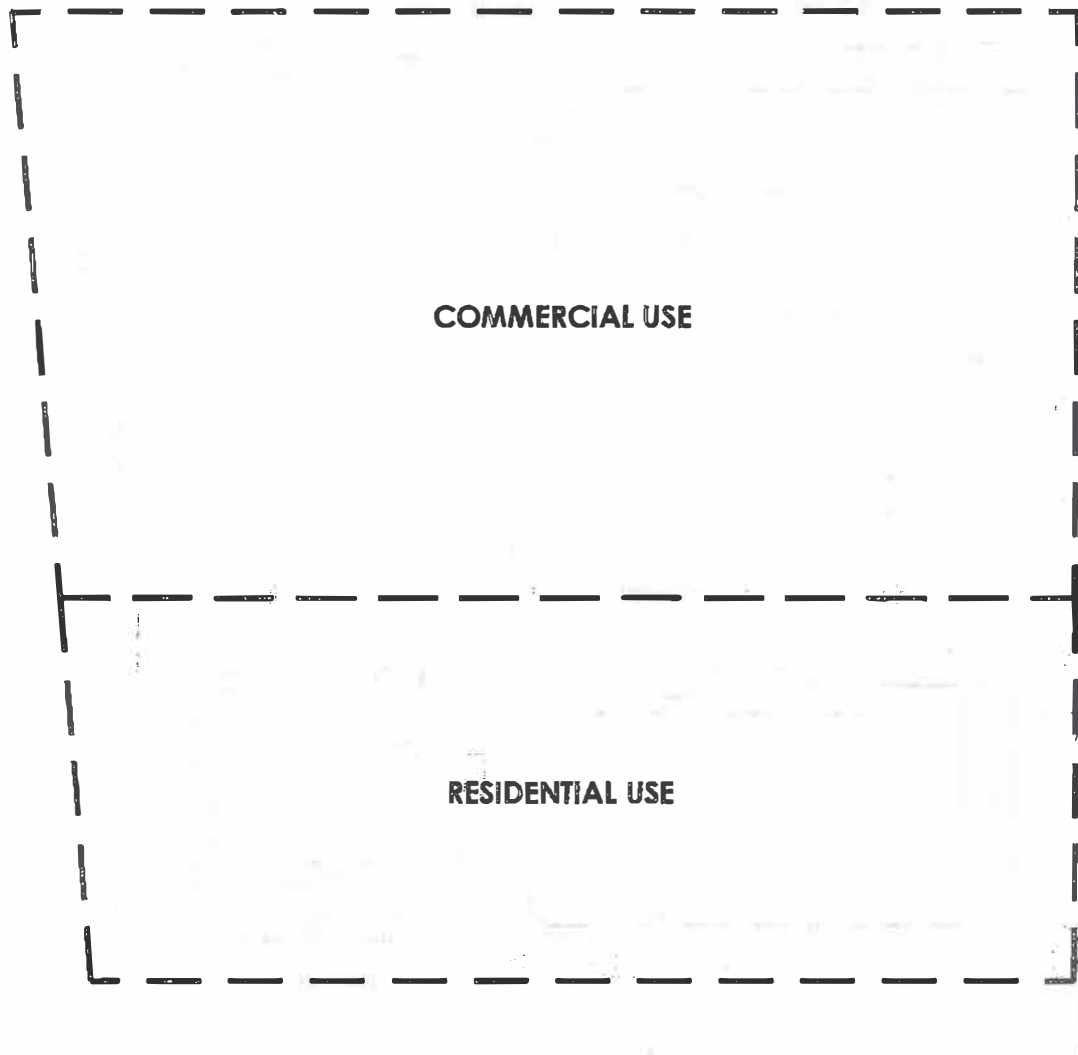
(E) TREE TO REMAIN

UNIT NUMBER	UNIT TYPE	BALCONY SIZE REQUIRED	BALCONY SIZE PROPOSED	BALCONY SIZE PROPOSED
UNIT 1	2 BEDROOM 1 BATH	80 SQ. FT.	115 SQ. FT.	55 SQ. FT.
UNIT 2	STUDIO 1 BATH	60 SQ. FT.	120 SQ. FT.	60 SQ. FT.
UNIT 3	STUDIO 1 BATH	60 SQ. FT.	120 SQ. FT.	60 SQ. FT.
UNIT 4	STUDIO 1 BATH	60 SQ. FT.	120 SQ. FT.	60 SQ. FT.
UNIT 5	1 BEDROOM 1 BATH	80 SQ. FT.	73 SQ. FT.	13 SQ. FT.
UNIT 6	2 BEDROOM 1 BATH	80 SQ. FT.	80 SQ. FT.	20 SQ. FT.
UNIT 7	2 BEDROOM 1 BATH	60 SQ. FT.	101 SQ. FT.	41 SQ. FT.
UNIT 8	STUDIO 1 BATH	60 SQ. FT.	101 SQ. FT.	41 SQ. FT.
UNIT 9	STUDIO 1 BATH	60 SQ. FT.	123 SQ. FT.	63 SQ. FT.
UNIT 10	STUDIO 1 BATH	60 SQ. FT.	108 SQ. FT.	49 SQ. FT.
UNIT 11	1 BEDROOM 1 BATH	80 SQ. FT.	105 SQ. FT.	45 SQ. FT.
UNIT 12	1 BEDROOM 1 BATH	80 SQ. FT.	130 SQ. FT.	70 SQ. FT.
UNIT 13	2 BEDROOM 2 BATH	80 SQ. FT.		
		780 SQ. FT.	1287 SQ. FT.	517 SQ. FT.

SITE PLAN

PROJECT: NATIONAL CITY APARTMENTS

JOB NO: 3281 / DATE: DEC 20 2017
EUCLID AVE, NATIONAL CITY, CA

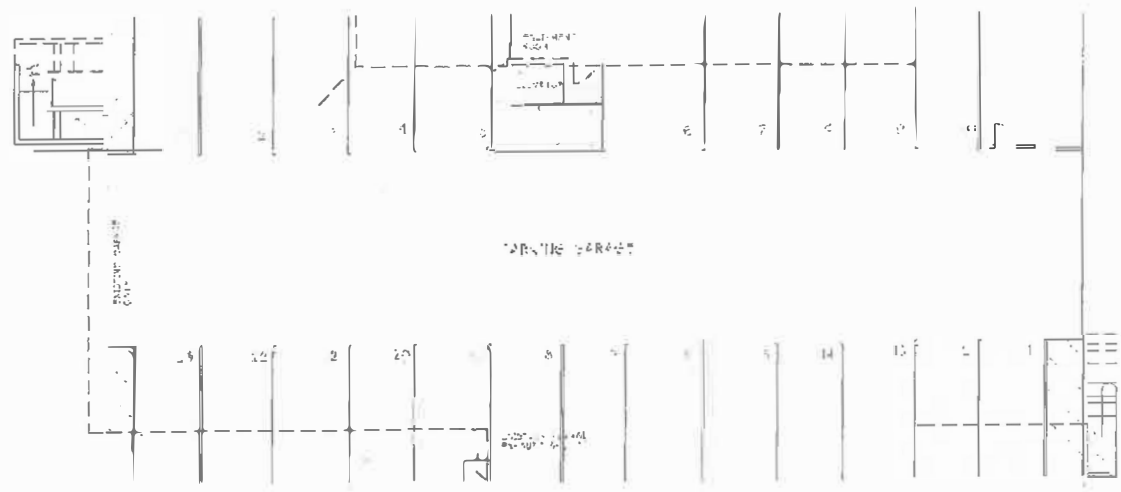


LAND USES

PROJECT: NATIONAL CITY APARTMENTS

SC 1/16/14-9
/ JOB NO: 3281 / DATE: DEC 20 2017
EUCUD AVE, NATIONAL CITY, CA

57

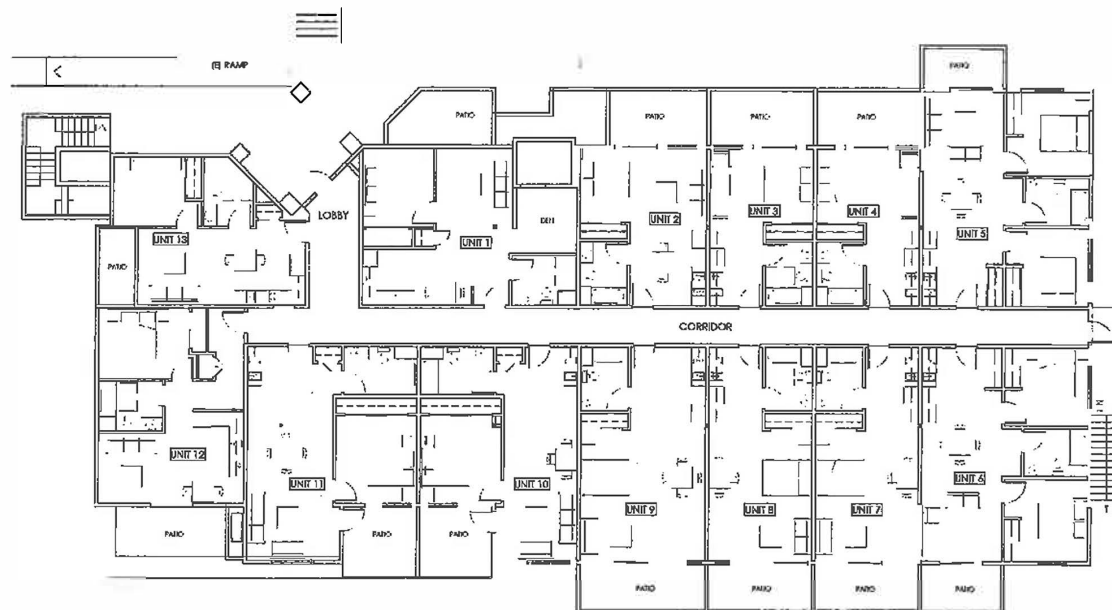


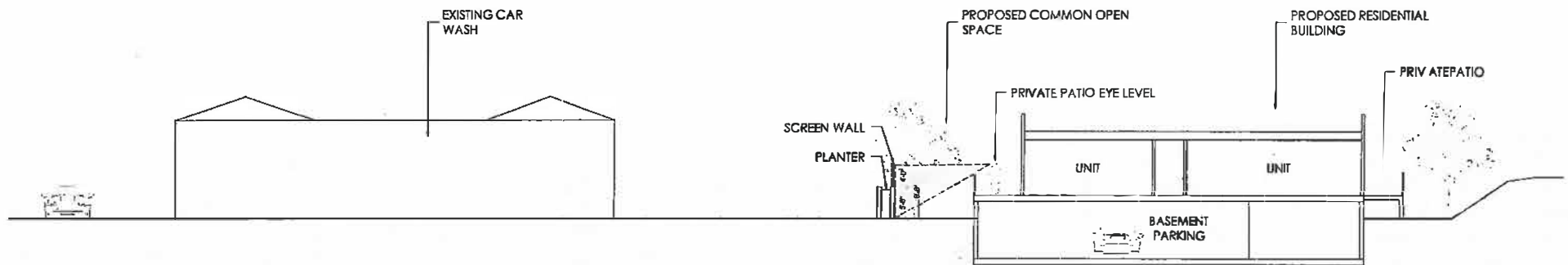
JWDA

PROPOSED BASEMENT FLOOR PLAN

PROJECT: NATIONAL CITY APARTMENTS

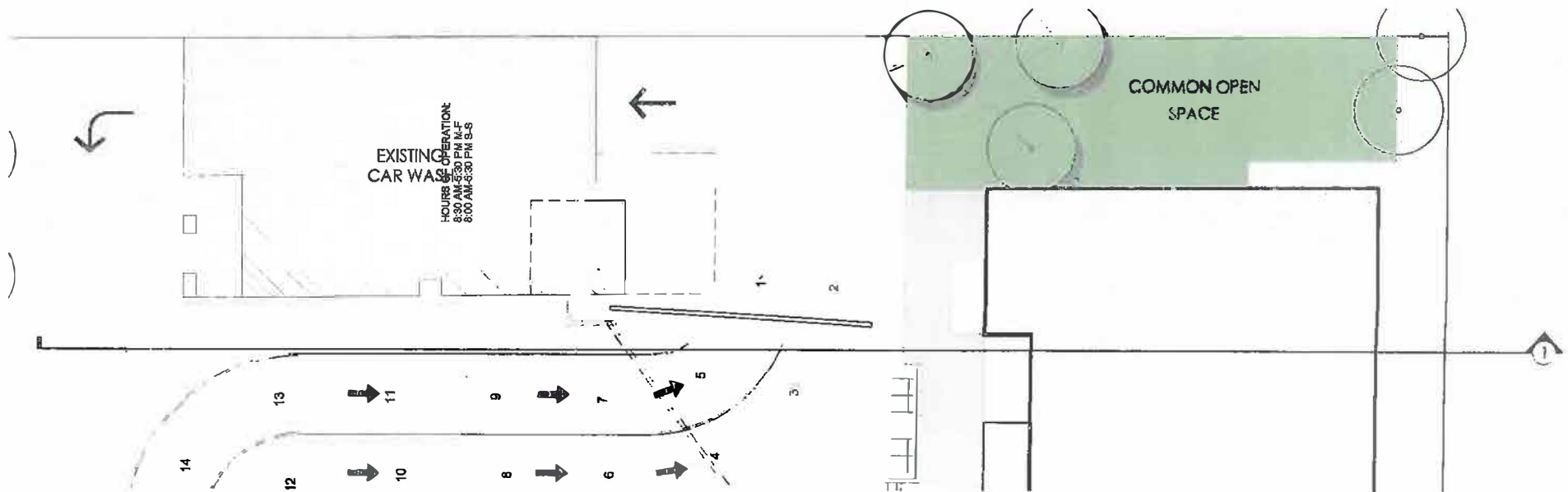
SCALE: 1/8"=1'-0"
/ JOB NO: 3281 / DATE: DEC 20 2017
EUCUD AVE, NATIONAL CITY, CA





① SITE SECTION

59



JWDA

SITE SECTION

PROJECT: NATIONAL CITY APARTMENTS

SC. 1/8"=1'-0"
/ JOB NO: 3281 / DATE DEC 20 2017
EUCUD AVE, NATIONAL CITY, CA



VIEW FROM PRIVATE PATIO TOWARDS
EXISTING CAR WASH

NEW 5'-0" HEIGHT WALL

DETAILING AND RE-WASH
ENTRANCE ONLY

EXISTING COVERED WAITING AREA

RESIDENTIAL COMMON
OPEN SPACE

PROPOSED PRIVACY WALL







RESOLUTION NO. 2018-01 a

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A ZONE VARIANCE TO ALLOW COVERSON OF AN OFFICE
BUILDING TO AN APARTMENT BUILDING
LOCATED AT 2530 EAST PLAZA BOULEVARD.
CASE FILE NO. 2017-14 Z
APN: 558-091-27**

WHEREAS, the Planning Commission of the City of National City considered a Zone Variance for the conversion of an office building to an apartment building located at 2530 East Plaza Boulevard at duly advertised public hearings held on August 21 and December 4, 2017, and January 22, 2018, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2017-14 Z maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearings held on August 21 and December 4, 2017, and January 22, 2018 support the following findings:

1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification, because the location of existing buildings and the strict application of Title 18 would require the entire site to be redeveloped to construct an apartment complex that may be constructed on similar sites in the same zoning district without redeveloping the entire site.

2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because the variance is being granted based on the development pattern of the property and since the request is for the conversion of an existing building to a use that is permitted upon other properties in the vicinity and zone.
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property, because a multiple-family residential use is an allowed use in the underlying Minor Mixed-Use Corridor (MXC-1) zone.

BE IT FURTHER RESOLVED that the application for a Zone Variance is approved subject to the following conditions:

General

1. This *Zone Variance* authorizes the conversion of an office building to a 13-unit apartment complex. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit B, case file no. 2017-14 Z, dated 1/4/2018.
2. Before this *Zone Variance* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Zone Variance*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Zone Variance* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Building

4. Plans submitted for demolition or improvements must comply with the most current (2016) edition of the California Building, Electrical, Plumbing, Mechanical, Green, Energy, and Fire Codes.

Engineering

5. The property owner, or its successors and assignees shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
6. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
7. All existing and proposed curb inlets on the property shall be provided with "No Dumping" signage in accordance with the NPDES program.
8. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced as marked in the field.
9. The existing pedestrian ramp(s) at the driveway located on Euclid Avenue shall be removed and replaced with standard ramp complying with the ADA requirements and the Regional Standard Drawings G-31.
10. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
11. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
12. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
13. All new dwellings are subject to a Transportation Development Impact Fee of \$2,405.00.
14. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
15. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.

Fire

16. Plans submitted for construction shall comply with the 2016 editions of NFPA, CFC and the current edition of the CCR.
17. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
18. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
19. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
20. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
21. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
22. Fire hydrants that may be located throughout the project and not have a separation distance greater than 400 feet. Fire hydrants to be located within 400 feet of all locations which are roadway accessible. (Measurement starts from nearest public fire hydrant to project)
23. The following items pertain to fire hydrants:
 - Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
 - Fire hydrant to be of three outlet design
 - Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch)
 - Fire hydrants to be marked by use of blue reflective marker in the roadway
24. Upon submittal for an underground permit, the following shall be included:
 - Data sheet for Back-Flows
 - Data sheets for Private and Commercial Hydrants
 - Data sheets for Post Indicator Valves

25. Information on required fire hydrants back-flow devices, etc. can be acquired from Sweetwater Authority. All pipe and their appliances, shall meet industry/code standards for underground use
26. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.
27. Fire sprinkler plan has been documented as deferred submittal with the National City Planning Department.
28. All fire related plans shall be directly submitted to the National City Fire Department through permit.

Planning

29. Landscape plans and improvements must include the entire property. Also landscape improvements shown in the original approval must be re-planted to substantially conform to the original approval, including interior parking lot trees. Open space area shall substantially conform to the landscape plan. Hardscape in this area be of decorative pavement or pavers; asphalt in common open space area must be removed. All landscape elements, including the faux planting elements, shall be maintained for the useful life of the project.
30. The applicant must provide the minimum common and private open space on building permit plans prior to building permit issuance.
31. The applicant must provide pedestrian access from the apartment complex's primary entrance to the Euclid Avenue public right-of-way. Pedestrian passage through the parking lot must be minimized as determined by Planning Department.
32. The applicant must provide enclosures for both trash and recyclable materials. The enclosures must be covered and be constructed of non-combustible materials (per Fire Department).
33. The applicant must provide storage space consistent with Code Section 18.42.070 (A)(7) that requires 150 cubic feet per unit plus 50 cubic feet for every bedroom more than one.

Sweetwater Authority

34. The owner must submit a letter to the Sweetwater Authority from the National City Fire Department stating fire flow requirements. Based on this requirement, this project may result in the need for new water systems or substantial alteration to the existing water system. It is recommended that the owner work with the Authority to determine if the existing water facilities are adequate to meet the added demands prior to issuing a building permit.
35. Residential fire sprinklers and fire services require an approved backflow prevention assembly.
36. Water facilities shall be designed and installed in accordance with the current Sweet Water Authority Design Standards and the Standard Specifications for Construction of Water Facilities.

37. Once the building permit is obtained by the owner, the owner shall submit National City Building Department approved plans to the Sweetwater Authority. The submittal must include a site plan, floor plan, and plumbing plan showing total fixture count, water demands in gallons per day, and a fire sprinkler plan so that water facilities can be verified.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

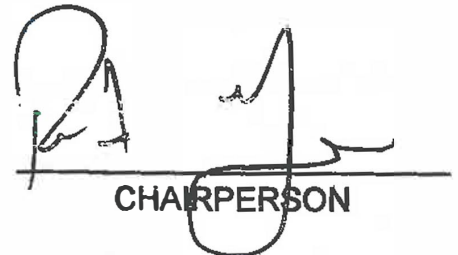
This certifies that the Resolution was adopted by the Planning Commission at their meeting of January 22, 2018 by the following vote:

AYES: DelaPaz, Garcia, Sendt, Quintero, Yamane

NAYS:

ABSENT: Baca, Flores

ABSTAIN:



CHAIRPERSON

The following page(s) contain the backup material for Agenda Item: Request for direction regarding City Council priorities for the City of National City's Fiscal Year 2019 Budget. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: February 6, 2018

AGENDA ITEM NO.:

ITEM TITLE:

Request for direction regarding City Council priorities for the City of National City's fiscal year 2019 budget.

PREPARED BY: Mark Roberts, Director of Finance

PHONE: 619-336-4330

DEPARTMENT: Finance

APPROVED BY: Mark Roberts

EXPLANATION:

The initial step for the City Council in the City's annual budget process is the development of a City Council budget priorities. Staff brings this agenda item to request direction from the City Council regarding budget priorities for the upcoming fiscal year, consistent with the City's Strategic Plan.

Examples of the type of direction sought include, but are not limited to, deferred facilities and infrastructure maintenance, capital projects, pension and other post-employment benefit funding, reserve funding, and public programs and services.

For reference, staff is providing the current Strategic Plan document, which was approved by the City Council on March 21, 2017, and a list of the budget priorities discussed during development of the fiscal year 2018 budget.

FINANCIAL STATEMENT:

ACCOUNT NO.
NA

APPROVED: Mark Roberts **FINANCE**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION ☐ FINAL ADOPTION ☐

STAFF RECOMMENDATION:

NA

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

1. Fiscal Year 2018 Budget Priorities Update
2. 2017-2022 Strategic Plan

City of National City

Fiscal Year 2018 Budget Priorities Update

Staff Priorities

Strategic Plan Functional Area: Community	
Priority	Status Update
Asset management & disposition (Successor Agency Properties)	Successor Agency properties transferred to the City in accordance with the Long Range Property Management Plan in late fiscal year 2016. Properties scheduled for disposition placed on the real estate market. Two properties (12th & A Avenue and Palm & Plaza Blvd parcels) have been sold to date. Palm & Plaza Blvd parcel being developed for housing.
Recreational program delivery	Online registration and point of sale system to be implemented, allowing participants to register and pay online or in person for City programs or contract classes. Negotiations in progress for management of Aquatic Center. Branding and marketing strategy being developed which includes a strong focus on online, social media, and grassroots marketing.
Homeless outreach	Pilot program completed successfully. Program currently extended through June 2018.
Parking Management	New permitting program / license plate recognition (LPR).
Volunteerism	Launch of volunteer management software expected by end of FY 18. Development of additional volunteer programs planned, to match volunteers to appropriate volunteer opportunities. Expanded volunteer recognition planned, to include long-term volunteers. Annual volunteer appreciation dinner held for board members and commissioners.
Strategic Plan Functional Area: Development	
Priority	Status Update
Needs assessment	Needs assessment addressing facilities, infrastructure, parks, and fleet presented to City Council with funding options February 28, 2017. Capital Improvement Program ("CIP") update planned for May 2018. Presentation of a five-year fleet replacement schedule to City Council planned for May 2018.
Economic development	Five-year economic development plan approved by City Council October 3, 2017, including first-year funding for various projects and programs, e.g., Façade Improvement Program, Activate the Right of Way, Adopt-A-Place, and the HdL Market Study for Strategic Business Areas. Façade Improvement Program open to applicants and considering two major retail storefronts for funding.

City of National City Fiscal Year 2018 Budget Priorities Update

Housing opportunities	Phase II of the Westside Infill Transit-Oriented Development ("WI-TOD"), development of 92 affordable housing units, expected to be completed by June 2018. CDC-Housing Authority has entered into Exclusive Negotiating Agreement for recapitalization and rehabilitation of Morgan and Kimball Towers.
Historic resources preservation	Community Partner Sustainability evaluation with non-profits that currently lease/operate City facilities (i.e., the Historical Society, Stein Farm, SDERA (Depot), and ARTS). Deferred maintenance to be included in Capital Improvement Program ("CIP") update planned for May 2018.
Strategic Plan Functional Area: Operations	
Priority	Status Update
Pension funding	Irrevocable supplemental pension trust approved by City Council in current budget. Execution of trust documents and establishment of trust expected in March 2018.
Training & development	Some realignments made to align staffing with the City's strategic objectives. Staffing alignment will be continually monitored as the organization continues to evolve. Number of employees attending training has increased. Efforts to identify and provide training that supports employee growth and development and fulfillment of City-wide and departmental priorities will continue. Strategies to reduce employee risk of injury and facilitate a successful and timely return to work when injuries do occur have been developed. Improvement seen in reduction of employee risk of injury and successful and timely return to work when injuries do occur. Cost-benefit analysis underway on some proposed adjustments. Some proposed adjustments subject to collective bargaining.
Long-range financial forecasting	Draft 5-year projections prepared. Development of forecast suspended until vacancies, including Budget Analyst position, filled. Expected to resume, incorporating economic development impacts, in mid-late 2018.
Technology infrastructure	Council Chambers A/V equipment update expected to be completed June 2018. Staff working with Stack Consulting to explore options to connect Aquatic Center to backbone network.
Strategic Plan Functional Area: Public Safety	
Priority	Status Update
Fire/emergency medical deployment strategies	One-year pilot squad program implemented July 2017.
Code Conformance	Ongoing. Replacement of single full-time position with two part-time positions has allowed for greater scheduling flexibility and performance of more work at a lower cost.
Training	
Technology	Police computer-aided dispatch production storage update expected to be completed April 2018.

City of National City Fiscal Year 2018 Budget Priorities Update

Infrastructure	Inventory of non-functioning security cameras at City facilities being prepared.
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City Council Priorities

Strategic Plan Functional Area: Community	
Priority	Status Update
Quality of Life program to enhance community beautification efforts	<p>Services provided by special crew dedicated to neighborhood preservation include:</p> <ul style="list-style-type: none"> - picking up trash in alleys and public right of ways - removing posters from utility poles - removing weeds from sidewalk areas and medians - removing shopping carts from public right of ways - cleaning bus stops - patching pot holes - clearing debris from storm drain grates and inlets - reporting graffiti
Strategic Plan Functional Area: Development	
Priority	Status Update
Environmental Issues (green facilities, bringing City facilities up to code)	Energy and conservation upgrades expected to be completed June 2019.
CIP prioritization with timelines	CIP update planned for May 2018.
Strategic Plan Functional Area: Operations	
Priority	Status Update
Internal organizational needs (succession planning, filling vacancy prioritization)	Critical vacancies have been identified and are in the process of being filled.
Strategic Plan Functional Area: Public Safety	
Priority	Status Update

Objective # 1 – Provide Quality Services

- a) Practice the five core values (Commitment, Customer Service, Courtesy, Communication, and Collaboration) with our diverse customer base.
- b) Align workforce with City's objectives and provide training and support necessary to fully develop employees, Boards, Commissions, and City Council.
- c) Expand public access to City services and information, by maintaining our website and making digital records accessible to the public.
- d) Pursue public safety goals and objectives and enhance disaster preparedness (Police, Fire, Emergency Medical Services, and Homeland Security).
- e) Analyze internal processes for efficiency and implement technology solutions where feasible. Continue efforts to automate and streamline work processes.

Objective # 2 – Achieve Fiscal Sustainability

- a) Prepare effective budget, close deficit, accurately forecast funding sources, manage investments wisely, provide consistent financial reports, maintain clean audits, resolve findings/deficiencies in a timely manner, and update finance and budget policies.
- b) Continue labor/management partnerships with an emphasis on strategic deployment and total compensation issues. Address long-term pension liability and other postemployment benefits (OPEB).
- c) Establish economic development programs to retain and attract businesses, stimulate new investments, and increase revenues. Evaluate and update fee schedules to promote development and recover costs.
- d) Continue to implement plans to fund replacement reserves and to finance the acquisition, replacement, and maintenance of the City's fleet, facilities, and other assets.
- e) Build cooperative and sustainable partnerships with community organizations, schools, and other public agencies in the efficient and cost effective delivery of services.

Objective # 3 – Improve Quality of Life

- a) Enhance crime prevention and emergency service through community outreach, procedural justice, critical incident response, City/regional partnerships, and employee development.
- b) Pursue green initiatives and build a sustainable city by implementing the climate action plan and energy roadmap.
- c) Help organize community events and support social gatherings that benefit the total community.
- d) Update sign ordinance to improve community character and draw attention to important gateways, corridors, and intersections with improved signage and wayfinding.
- e) Support Pier 32 (GB Capital Holdings) expansion plans and work with San Diego Unified Port District and its tenants to fund public process and public improvements.

Objective # 4 – Enhance Housing and Community Assets

- a) Continue providing housing opportunities at all income levels and develop programs to improve existing conditions. Adopt a comprehensive long term strategy to address homelessness.
- b) Complete Paradise Creek Apartments and Educational Park. Continue to plan and build transit-oriented developments/districts.
- c) Maintain and improve City's infrastructure and find alternative funding to construct public facilities, park improvements, street maintenance, and other capital needs. Complete comprehensive needs assessment and establish priorities through funding options.
- d) Preserve and promote cultural assets and historic resources, such as Granger Music Hall, Kimball House, Stein Farm, and the Depot. Formalize a public art program that provides funding for art and culture through a "percent for art" program.
- e) Administer real property assets and property management plans to achieve the City's long term goals.

Objective # 5 – Promote a Healthy Community

- a) Expand opportunities for walking and biking through the development of community corridors and safe routes to schools consistent with the National City General Plan and Bicycle Master Plan.
- b) Continue to provide affordable City programs, activities, and services that are accessible for all users, including individuals with disabilities (Americans with Disabilities Act).
- c) Enhance neighborhood services programs, such as graffiti abatement, parking enforcement, and code enforcement and increase efficiency with new technology. Adopt a parking management plan as part of an update to the Downtown Specific Plan.
- d) Implement neighborhood action plans and continue amortization efforts by working with residents and businesses.
- e) Advance National City wellness programs for youth, families, seniors, and City employees that encourage a healthy lifestyle and develop a workplace safety program.